

The Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board were approved by Order APA/3465/2004, of 20 October 2004, and have subsequently been amended on several occasions.

In accordance with the provisions of the First Additional Provision of Act 6/2015, of 12 May 2015, on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope, the Public Corporation, *Consejo Regulador de la Denominación de Origen Calificada Rioja* was created.

Likewise, section e) of article 17 of Act 6/2015, of 12 May 2015, sets out that any management entity set up as Public Corporation shall draft and approve articles to be submitted, for their administrative approval, to the Ministry of Agriculture and Fisheries, Food and the Environment, that must at least include its purposes and functions, organisation, rights and obligations of the operators that integrate it, economic and financial regime, internal control, if any, and disciplinary regime.

Act 6/2015 of 12 May 2015 was implemented by Royal Decree 267/2017, of 17 March 2017, implementing both Act 6/2015, of 12 May 2015, on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope and Act 12/2013, of 2 August 2013, on steps to improve the operation of the food chain.

Consejo Regulador de la Denominación de Origen Calificada Rioja submitted its Articles, duly approved, to the Ministry of Agriculture and Fisheries, Food and the Environment pursuant to the first interim provision of Act 6/2015, of 12 May 2015. Therefore, by virtue of the provisions of article 3 of Royal Decree 267/2017, of 17 March 2017, and once the favourable report of the State Legal Service has been issued, it is up to the Ministry of Agriculture and Fisheries, Food and the Environment to approve the said Articles. The aspects related to the composition and operation of the Control Board are contained in the articles that are approved by this Order, so it is considered pertinent to proceed with the repeal of Order APA/3465/2004, of 20 October 2004

Pursuant to Community regulations, EU Regulation 1308/2013 of the European Parliament and the Council of 17 December 2013 creating the common market organisation of agricultural products, the policy paper that sets out the requirements to be met by the product of the *Denominación de Origen Calificada Rioja* in its Designation Specifications.

Notwithstanding the foregoing, certain contents of the Regulations approved by Order APA/3465/2004 should be kept temporarily in force, as long as the accreditation of the Control Board to the UNE-EN ISO/IEC 17065/2012 standard is not completed, and the modification of the of the Protected Designation of Origin Specifications that includes certain regulatory content that continues to appear residually in the Regulations and whose location must be the aforementioned Specifications.

Pursuant to which, I hereby decree:

Single article. Approval of the Articles of *Consejo Regulador de la Denominación de Origen Calificada Rioja*.

The Articles of the public corporation *Consejo Regulador de la Denominación de Origen Calificada Rioja*, whose text is annexed hereto, is hereby approved.

Single interim provision. Interim application of certain precepts of Order APA/3465/2004, of 20 October 2004.

As long as the provisional authorisation to act as a controlling body is in effect during the process of accreditation to the UNE-EN ISO/IEC 17065/2012 standard, the Control Board may operate under the provisions of articles 15 and 17 of Annex I and Annex II of Order APA/3465/2004, of 20 October 2004, which approved the Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board.

Single repealing provision. Repeal of Order APA/3465/2004, of 20 October 2004, whereby the Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board are approved.

Order APA/3465/2004, of 20 October 2004, approving the Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board is hereby repealed except for the provisions of articles 4, 9.1 and 14, sections 2 and 3 of article 22, and articles 31 and 34 of Annex I shall remain in force until their contents are included in the Designation Specifications, all of which to be without prejudice to the interim provision.

First final provision Legislative competence.

This order is issued pursuant to the provisions of article 17.e) of Act 6/2015, of 12 May 2015, on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope, in application of the exclusive competence of the National Government on protected designations of origin and protected geographical indications with a territorial scope covering more than one Autonomous Community, pursuant to the ruling of the Constitutional Court (STC 112/1995).

Second final provision Entry into force.

This Regulation shall enter into force on the day following its publication in the Spanish Official Gazette.

Madrid 5 June 2017. The Minister of Agriculture and Fisheries, Food and the Environment, Isabel García Tejerina.

ANNEX

Articles of *Consejo Regulador de la Denominación de Origen Calificada Rioja*

CHAPTER I

General provisions

Article 1. Nature, legal regime and representation.

1. *Consejo Regulador de la Denominación de Origen Calificada Rioja* is a Public Corporation, endowed with its own legal personality and full capacity to operate in the fulfilment of its public and private purposes.

2. The Control Board of the *Denominación de Origen Calificada Rioja* is its management body, empowered to carry out control activities, in application of the provisions of articles 23 and 24 of Act 6/2015 on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope.

3. It will be governed by private law and, in the exercise of public powers or functions, by Administrative Law. Exceptions are civil and criminal conflicts that are subject to the relevant legal regime, as well as relations with its staff, which is governed by labour laws. Its actions must comply with the provisions of Act 6/2015 on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope, the regulations that implement it, applicable European regulations, the provisions hereof and the decisions adopted by its Plenary body.

4. The Control Board of the *Denominación de Origen Calificada Rioja* is represented by its chair or president.

Article 2. Registered office.

The registered office is in Logroño, La Rioja, Calle Estambarrera No. 52.

Article 3. Scope.

The scope of the Control Board in the application of its internal rules subject to private law and, without prejudice to such public functions as may be entrusted to it, is: with regard to territory, the area of production and ageing; with regard to products, those protected by the designation in any of its phases of production, vinification, ageing and marketing; and with regard to natural and legal persons, those appearing in the different registers kept by the Board.

Article 4. Purposes: defence and promotion.

1. It is the responsibility of the Control Board of the *Denominación de Origen Calificada*, in accordance with the provisions of applicable regulations, and without prejudice to the jurisdictions of the Public Administrations, to defend the Designation of Origin, as well as to promote the quality of covered wines.

2. The promotion and dissemination of the protected product are also among the purposes of the Control Board of the *Denominación de Origen Calificada*.

Article 5. Functions.

The functions of the Control Board are to ensure compliance and apply the provisions hereof, their complementary provisions and the Designation Specifications for the *Denominación de Origen Calificada Rioja*, for which purpose they will exercise the functions entrusted to them in the legal system, as well as those expressly indicated in this article and, more specifically, within the framework of the provisions of Articles 16, 17, 23 and 24 of Act 6/2015 on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope, including the following:

- 1) Promoting the wine protected by the *Denominación de Origen Calificada Rioja* in the markets, carrying out actions for their greatest dissemination, and assisting third parties for their understanding.
- 2) Defending the protected product, as well as protecting the name protected by the *Denominación de Origen Calificada Rioja* and the registration of trademarks, distinctive signs, domain names on the Internet and other industrial property rights as are necessary to complement the protection provided in this matter.
- 3) Exercising actions in or out of court to defend the protected name from its illegitimate use and from actions that constitute unfair competition or other improper uses.
- 4) Proposing modifications to the *Denominación de Origen Calificada Rioja* Designation Specifications to the Ministry of Agriculture and Fisheries, Food and the Environment.
- 5) Managing internal records and cooperating with the Ministry of Agriculture and Fisheries, Food and the Environment in the upkeep of official registers.
- 6) Regardless of such complaints as may be filed with other administrative authorities or judiciary bodies, reporting to the Ministry of Agriculture and Fisheries, Food and the Environment practices not conforming with the provisions of the Designation Specifications and current legal regulations.
- 7) Rating each vintage or harvest.
- 8) Preparing and approving its Operating Articles and their modifications.
- 9) Annually setting, prior to the harvest and after suitable assessments and verifications, the maximum permitted production per hectare, as well as the maximum grape-to-wine ratio, including any deviation due to weather conditions in accordance with relevant legal principles.

- 10) Approving Harvest Season Standards.
- 11) Issuing certificates of origin on request.
- 12) Setting the minimum requirements to be met by the labels of covered products.
- 13) Managing and issuing back labels, seals and other guarantee markers.
- 14) When official control tasks have been delegated upon it as a control body, carrying out the verification of compliance with the Designation Specifications, under the terms set out in the delegation made by the General Directorate of Food Industry of the Ministry of Agriculture and Fisheries, Food and the Environment.
- 15) Monitoring compliance with these Articles.
- 16) Studying the suitability of lands in the production area.
- 17) Preparing and approving the annual budgets of revenues and expenses, as well as their accounts and budget settlements.
- 18) Agreeing upon and requiring compulsory fees from registered individuals or companies in accordance with the regime determined by these Articles.
- 19) Preparing statistics on production, vinification and marketing of covered products, for internal use and for dissemination and general knowledge.
- 20) Promoting initiatives for reaching interprofessional collective agreements between grape growers and registered winery owners.
- 21) Administrating, acquiring, alienating or encumbering its own property.
- 22) Carrying out or commissioning studies, jobs, etc. as well as signing agreements, covenants or contracts with public administrations or private entities, within the scope of the powers of the Corporation.
- 23) Any other activity related to its scope and intended to achieve its purposes.
- 24) All other activities as may be attributed by regional, national or supranational law.
- 25) Carrying out all such functions linked to the Designation as are expressly assigned to them by the Ministry of Agriculture and Fisheries, Food and the Environment.

CHAPTER II

Control Board organisation

Section One

Managing Body

Article 6. Control Board composition and functions

The Control Board consists of the Control Board Plenary, its president, its vice-president, the Standing Committee and working committees, as well as the General Secretary–Director and the Marketing and Communication, Administration and General Services, Legal Service and Control departments.

Article 7. Control Board Plenary.

1. The Control Board Plenary is responsible for setting out the policy of the wine region, which is based on two pillars: promotion and focusing on markets; and development and production and quality controls. It works with the proposals submitted by the committees to set out guidelines, approve rules and regulations and develop general policies to comply with the purposes of the Control Board. The General Secretary-Director also participates with voice but without vote, and, upon invitation when it is deemed appropriate to attend to the matters to be discussed, the representatives of each of the Autonomous Communities of La Rioja, the Basque Country and Navarre where the Designation is present, as well as the Ministry of Agriculture and Fisheries, Food and the Environment. When matters affecting particular Control Board departments have to be discussed, the heads of these departments may be required attend.

2. Provided that the requirements of article 20 of Act 6/2015, of 12 May 2015, on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope are fulfilled, the Control Board Plenary shall be constituted by the members of the board of directors of the Rioja Wine Interprofessional Organisation.

3. If, at any time, the requirements of Article 20 of the aforementioned Act 6/2015 are not met, the members of the Control Board Plenary shall be directly elected by all persons included in the Registers of the Rioja PDO. It will determine the procedure, distribution of memberships by sector and the calendar to be followed, in all cases complying with what is set out, in particular, in articles 15.b and 17.f of the Act.

4. The members of the Control Board Plenary will have the same representation and the same number of votes as they have on the board of directors of the Rioja Wine Interprofessional Organisation.

5. The process for substitutions and replacements is that set out for the members of the board of directors of the interprofessional organisation in its Articles.

6. The president of the Control Board Plenary shall be the chair of the board of directors of the interprofessional organisation which, according to its Articles, may be a member of the board or a person external to it.

7. The renewal of the members of the Control Board Plenary and the accreditation of the representativeness of the votes in the Control Board Plenary will take place automatically, as they are those of the board of directors of the Interprofessional Organisation.

Article 8. Functions of the Control Board Plenary.

1. The functions of the Control Board Plenary are to comply with and enforce these Articles, proposing to that effect such internal provisions as may be necessary and ordering the execution of its decisions. In particular:

- a) Regulating and managing the activity of the Control Board.
- b) Organising the internal regime of the Control Board, approving, as the case may be, the relevant regulations and decreeing their publication.
- c) Organising and directing services.
- d) Managing the revenues and funds of the Control Board, ordering payments and approving compulsory fees.
- e) Hiring, suspending or renewing its staff.
- f) Reporting to the public administration about incidents may that occur in production and the market due to a breach of the Designation Specifications or other current regulations.
- g) Providing the Ministry of Agriculture and Fisheries, Food and the Environment with compulsory information in compliance with Article 19 of Act 6/2015.
- h) Sending to stakeholder entities those general compliance decisions agreed by the Board and those whose importance it considers warrants they be known.
- i) Exercising the disciplinary regime.
- j) Approving the proposals for modification of the Designation Specifications.
- k) Approving provisions for the implementation hereof, within the scope of its powers.
- l) Setting annual goals.

2. The functions of paragraphs a) to i) inclusive of the previous section may be delegated to the Standing Committee or to the person or position determined by the Plenary.

Article 9. President of the Control Board.

1. The president takes on institutional and legal representation functions before any third party and any other representation delegated by the Plenary.

2. Additional specific functions:

a) Calling Control Board Plenary meetings, setting the agenda based on working committee requests, and chairing the meetings of the Plenary and of the Standing Committee, determining when discussions and voting should take place.

b) Ensuring compliance with decisions made and endorsing the minutes of the meetings, as well as issuing certifications relating to the decisions reached.

c) Seeking to coordinate associations and strengthen their mutual ties.

d) Executing any function that the laws, the Articles or the Plenary expressly attribute to it.

3. The president is awarded the necessary powers to enter into contracts as set out in the contracting procedures-manual and set spending levels.

Article 10. Vice president of the Control Board.

The vice president shall substitute for the president when there is just cause, in this case performing the functions of the president.

Article 11. Standing Committee.

It has no executive power, except when expressly delegated by the Plenary, and it is composed of the Control Board president, the vice president, the chairs of each of the committees and a maximum number of members based on the representation of each association. The general secretary-director and the heads of the departments affected by items on the agenda also attend the commission.

It will be competent to settle on questions of procedure, or in those cases that it deems necessary. In the plenary session in which the constitution of said Standing Committee is agreed upon, the specific missions that fall upon it and the functions that it will exercise will also be agreed upon.

All settlements adopted by the Standing Committee will be communicated to the Plenary of the Board that will ratify them, if applicable, in the immediately following meeting.

Article 12. Working Committees.

They are non-executive committees which initially examine matters and proposals to be dealt with by the Plenary. Their chairs are elected from among the members of the Plenary. They call and moderate discussions in their respective commissions. They work in coordination with the General Secretary-Director and with the department heads who are also the secretaries of their respective committees. Committee chairs jointly decide with the General Secretary-Director and the Control Board President whether matters should be referred to the Standing Committee and, as the case may be, to the Plenary. The chairs of the committees may represent the Control Board in matters regarding the area of responsibility of their committee.

Article 13. General Secretary-Director.

It is the Control Board's chief executive, carrying out the normal tasks that would be carried out by the general director or general manager in a company. They will be responsible for the ordinary functioning of the Board. The General Secretary-Director is subject to the Plenary and reports to the President. In general, the General Secretary-Director's responsibilities include:

- a) supervising promotional campaigns;
- b) organising the staff in all its aspects;
- c) preparing submitting and monitoring budgets and financial statements;
- d) Coordinating departments and, in particular, ensuring that the Legal Department and Administration Department provide the necessary means to the Control Body according to the budgets set out for the Board every year;
- e) Making a proposal to the Plenary on the annual objectives to be met by department heads.

Article 14. Control Board departments.

1. Marketing and Communication Department.

It is in charge of programming, developing and deploying promotional campaigns approved by the Control Board Plenary in accordance with assigned budgets. When necessary, it provides market studies requested by the Control Board's various areas or departments.

Likewise, the department is in charge of the communication of all Board areas, including matters related to controls within an annual plan, which is continuously adapted to Board interests.

2. Administration and General Services department.

The department provides the Board with the information and resources it requires to carry out its tasks. It is responsible for the full financial and administrative organisation of the Control Board.

The department collects information from the Control department and manages and updates vineyard and winery records. It also stores and issues guarantee labels and seals. It also provides IT support and supports the wine approval process.

3. Legal department.

It is a cross-cutting department in charge of the legal advisory service and of filing non-disciplinary proceedings in areas subject to Administrative Law. It provides the necessary legal support to the Control Department, or to any other that may so require. Upon request, it may collaborate with the Ministry of Agriculture and Fisheries, Food and the Environment in sanctioning procedures for violations committed in the area of jurisdiction of the *Denominación de Origen Calificada Rioja*.

The department will be responsible for the disciplinary proceedings initiated for breach of the statutory provisions.

You can legally defend the interests of the Control Board including its defence and representation before the Courts of Justice in the civil, commercial, social, criminal and administrative spheres, as well as before any Public Administration.

4. Control department.

1. It is responsible for carrying out the inspection and, where appropriate, all the necessary controls for the verification of compliance with the Designation Specifications and certification, in accordance with its accreditation in the UNE-EN ISO/IEC 17065 standard or any other that replaces it on registered stakeholders in the *Denominación de Origen Calificada Rioja*.

2. Its Director is independent of the General Secretary-Director, and therefore of the Plenary, with regard to fulfilling inspection and control functions.

3. It is made up of Inspector-Overseers, who are responsible for control, and auxiliary staff.

The Inspector-Overseers and the control staff may require the collaboration and support of other departments of the Management Body to carry out its inspection and control tasks. Annually they must draft and fulfil a plan of inspection objectives approved by the Ministry of Agriculture and Fisheries, Food and the Environment.

They may be also carry out other technical, supportive or reporting tasks outside the realm of inspection and control which may be required by the Management Body to function properly.

4. The Ministry of Agriculture and Fisheries, Food and the Environment shall be informed regularly and upon request, provided with the results of the inspections carried out. If the results reveal or suggest a breach, the structure will immediately inform the competent authority.

Article 15. Operation of the departments.

The heads of the Administration and General Services, Marketing and Communication and Legal departments report to the General Secretary-Director, who is their hierarchical and functional supervisor.

These departments must fulfil annual objectives approved by the Plenary or the Standing Committee to ensure the proper operation of each Department and their staff, as well as coordination with other departments.

Section Two

Adoption of decisions and their legal framework

Article 16. Control Board functioning. Adoption of decisions.

1. The Control Board is to meet at least once every two months and whenever deemed necessary by the President or upon request of its members with the support of at least 15 per cent of the votes.
2. The sessions of the Control Board Plenary will be convened by the President, by means of a written document that will contain the order of the day of the meeting, with an advance of seven calendar days to its celebration, except in cases of urgency, in which this period will be reduced to forty-eight hours.
3. When the initiative of the call comes from the owners of at least 15 per cent of the votes, the matters included in the request along with those proposed by the Presidency shall be included in the agenda, and the meeting shall be held within the seven calendar days following receipt of the request by the Presidency.
4. Meetings may not discuss or make decisions that are not on the agenda, unless all members of the Plenary are present and agree unanimously.
5. In case of absence of the full members of the Plenary, except for the President, the Association to which he/she belongs will notify the Control Board in writing of the name of his/her substitute, with a specific nature for each session and at least 24 hours before the meeting date. The absence of any Association will mean that the percentages for making decisions are understood as referring to the present votes.
6. For the valid constitution of the Control Board Plenary the presence of the President and the General Secretary-Director is required, although they may be substituted, respectively, by the position or person assigned to the Control Board that is previously determined. Also in the first call, two thirds of the votes of each branch, growers and winemakers, must attend the meeting, present or represented and, second call, one third of the votes of each, provided that at least 100 votes are present of the total.

7. The member Associations of the Control Board Plenary which have several members at large will designate spokesperson who will assume all their representativeness in what refers to voting rights and representation. For this case, in the computation of the quorum and majorities, it will be understood that said member at large concurs for all those of his/her Association.

8. Control Board Plenary decisions require a minimum of 75% of votes present or represented and at least 50% of the votes of each professional sector. For these purposes, blank votes or abstentions will not be computed. The president does not have a casting vote.

Article 17. Control Board Plenary Decisions.

1. The agreements of the Control Board Plenary that are not specific and affect a plurality of subjects, will be notified by means of circulars that will be exhibited in the offices of the Board and will be published on the website of the Designation, and will be sent to the Town Councils of the municipalities included within the production area and the legally constituted organisations of the sector. The exhibition of the circulars or the announcement thereof will be published in the Official Gazettes of the Historical Territory of Álava, the Statutory Community of Navarre and the Autonomous Community of La Rioja.

2. The agreements and settlements adopted by the Control Board Plenary in the exercise of powers or public functions subject to Administrative Law shall be appealable to the General Directorate of Food Industry of the Ministry of Agriculture and Fisheries, Food and the Environment.

3. The decisions validly adopted by the Control Board Plenary will be immediately enforceable, unless the decision itself establishes otherwise or, in the case of those dictated in the exercise of powers or public functions subject to Administrative Law, are challenged in a timely and proper fashion, in whose case it will be executive when the administrative process ends.

CHAPTER III

Rights and obligations of registered stakeholders

Article 18. Becoming a registered stakeholder.

Becoming a registered stakeholder arises from the registration of vineyards and their owners or of wineries in the Registers of the *Denominación de Origen Calificada Rioja* set out in article 24 hereof, under the terms provided for in article 25.2.g) of Act 6/2015.

Article 19. Rights and obligations of registered stakeholders.

1. All natural or legal persons who wish to be registered in the *Denominación de Origen Calificada Rioja* must, in compliance with article 25.2.g. of Act 6/2015, notify their details to the Control Board for their mandatory registration in the Registers of the *Denominación de Origen Calificada Rioja* provided for in article 24 hereof.

2. In order to use the name of the *Denominación de Origen Calificada Rioja* in

advertising, documentation or labelling, registration in the relevant Register will be an indispensable requirement.

Article 20. Rights and obligations of registered stakeholders.

Under the provisions of art. 16 g) of Law No. 6/2015 on Designations of Origin and Protected Geographical Indications of supra-regional territorial scope, the natural or legal persons registered in the Registers indicated in article 24 are obliged to:

1. Apply the rules adopted by the Control Board relating to production reporting, production, marketing and protection of the environment.
2. Provide the information requested by the Control Board for statistical purposes and monitoring of production and marketing.
3. Become subject to the control regime.
4. Answer for breaches of the obligations set forth in these Articles, as well as facilitate the supervision of compliance.
5. Submit the statements or reports to which they are bound.
6. Pay compulsory fees for the access to the services and the exercise of the rights derived from the belonging to the Designation, as well as to finance the cost derived from its rules of organisation and operation.

CHAPTER IV

Economic regime Article

21. Funding.

1. The funding of the Board's obligations will be carried out with the following resources:
 - a) With the product of the compulsory fees to which the Law of Designations of Origin and Protected Geographical Indications of supra-regional territorial scope refers, for funding their budgets, fixed and published annually by the Control Board, of an ordinary and extraordinary nature.

By virtue of the settlement of the ordinary compulsory fees, stakeholders registered in the Corporation will be entitled to inspection and yield control services, as well as those implemented during the harvest, stock inspections and sampling. In the same way they will have the right to belong and maintain their registration and access and enjoy additional control measures and the general services of the Corporation, in particular regarding certification.

By virtue of the settlement of extraordinary compulsory fees, those registered in the Corporation will be entitled to the diffusion, promotion and publicity services that it carries out.

The sum of both compulsory fees must be included in the following percentages:

1. Up to 7 per cent of the value of the production covered in the registered owner's name, depending on the price estimated in the previous harvest season. The value of the production covered is calculated based on the yield obtained in the previous vintage applied to the surface registered at the time of issue of the compulsory fees. In the event that a registered owner had no production in the preceding vintage, the average yield for the municipality will be applied.

2. Up to 7% of the value resulting from multiplying the weighted average price of the unit of the protected product, according to its category: unaged, Crianza, Reserva and Gran Reserva, estimated from the periodic declarations of consignments to the foreign market, for the volume of back labels or seals for each winery in the previous harvest season. In the event that a registered winery does not have a volume of back labels or seals in the previous harvest season, it will be applied to the volume of this harvest season.

b) For the issue of certificates: The price of 1 euro, reviewed annually according to the consumer price index.

c) For the issue of seals or back labels: Double their cost price.

Those obliged to pay each one of the fees are: those of paragraph 1 of letter a), the owners of the registered plantations; those of paragraph 2 of letter a), the owners of the registered wineries that ship wine to the market; those of letter b), registered owners applying for certificates and those of letter c), purchasers of seals or back labels.

d) Grants, bequests and donations.

e) The amounts that may be collected as compensation for damages caused to the Board or the interests it represents.

f) Its assets and their products and revenues.

2. The management of the revenues and expenses that appear in the budgets is carried out by the Control Board.

3. The entry of compulsory fees by registered stakeholders will be effective in the voluntary collection period, that is, 30 days from the issue of the respective charge.

4. Failure to comply with the payment obligation within the foreseen term will result in default interest calculated with an interest rate equal to the legal interest rate set by the General State Budget Law plus two points, without prejudice to other measures that this non-compliance may entail in accordance with the provisions of the Articles.

5. In the event that a registered stakeholder has previous debts owed to the Control Board for compulsory, ordinary or extraordinary fees and requests new services, the Control Board may impute the payment to the oldest debts and, therefore, will not have an obligation to carry out the requested service until it has been settled.

Article 22. Procedure of authorisation and control of expenses.

For the appropriate purposes, the relevant delegations will be determined at each level. This procedure will be reviewed to facilitate the operation of the Board.

CHAPTER V

Registration and records

Article 23. On registration.

1. Registration in the Control Board of the *Denominación de Origen Calificada Rioja* of owners of vineyard plots and of such plots, located in the territory of the Designation, is mandatory in the terms provided for in Article 25 2 g) of Act 6/2015.

2. Registration in the registers of the Control Board of the *Denominación de Origen Calificada Rioja* of the wineries located the territory of the Designation, is mandatory in the terms provided for in article 25.2 g) of Act 6/2015.

3. By registering in the relevant Registers, a voluntarily assumed relationship of rights and obligations is set out, leaving the natural or legal persons registered subject to compliance with the provisions of the Designation Specifications of the *Denominación de Origen Calificada Rioja* and the agreements within their competences dictates the Control Board, without prejudice to current legal rules and regulations.

Article 24. Types of registers.

The following Registers will be kept by the Control Board:

- a) Register of Vineyards and their Owners.
- b) Register of Wineries

Article 25. Registration requirements.

1. Submissions to registers are to be addressed to the Control Board, together with details, documents and vouchers as required in each case by provisions and regulations in force, in the forms provided by the Control Board.
2. The Control Board will reject any submissions that fail to comply with the Articles and the Designation Specifications on complementary technical conditions for vineyards or wineries.
3. Registration in the Register of Wineries will require prior registration in those Registers that, in general, are set up, which must be accredited prior to registration in Control Board registers.
4. Registration in the Register of Vineyards will require prior registration in the Registers set up by the competent Administrations regarding authorisation of plantations.

Article 26. Register of Vineyards and their Owners.

All those located in the production area whose grapes can be used for the production of protected wines will be registered in the Register of Vineyards.

The registration will include: the name of the owner of the vineyard, the identification of the vineyard through its number, polygon, location, municipality in which it is located, year of planting, production area, grape variety or varieties, planting density and any other details required to identify and locate it. In addition, the registration application form will be accompanied in addition to a detailed map or drawing of the plots, as determined by the Control Board and the respective plantation authorisation.

Article 27. Register of Wineries.

1. All those located in the production area in which only grapes or must from registered vineyards are vinified, whose wines produced are eligible for the *Denominación de Origen Calificada Rioja* and meet all the requirements set out in these Articles, will be registered in the Winery Register and in the Specification of Conditions.

On the outside of registered wineries, in a prominent place, there will be a plaque identifying this.

2. Registration will include the name of the person or company responsible for the activity, town and area of location, characteristics, number and capacity of the containers and machinery, and as much details as are necessary to perfectly identify and catalogue the winery. In the event that the person or company responsible for the activity is not the owner of the facilities, this shall be recorded, evidencing this circumstance, as well as the identity of the owner. It will be accompanied by a map or drawing at a convenient scale in which all the details of construction and facilities are reflected.

3. In the event that the winemaking activity with the right to the *Denominación de Origen Calificada Rioja* takes place in the facilities, the vinification system and the data corresponding to it must also be included in the registration.

4. If wine is aged in the facilities located in the production area with the right to the *Denominación de Origen Calificada Rioja*, the registration will include, in addition to the data referred to in the previous sections, all those specific to this type of cellar, such as the surface area and the number of barrels, among others.

5. If the wine bottling activity is carried out in the facilities located in the production area, the winery's registration will also include the data referred to in the previous sections, the specific data of this type of activity as well as facilities and machinery for stabilisation and bottling, surface and capacity thereof.

Article 28. Winery classification.

1. In accordance with the above article, registered wineries will be classified by type of activity into Winemaking Wineries, Winekeeping Wineries and Ageing Wineries.

2. Winemaking Wineries are those that are devoted to the production of wine with grapes from registered vineyards.

The term *cosechero* (winegrower) is applied to an owner of a Winemaking Winery that is exclusively devoted to making wine with grapes from vineyards registered in the production area of the *Denominación de Origen Calificada Rioja* registered in the Vineyard Register and that does not buy wine from other wineries.

3. Winekeeping Wineries are those that are devoted to the storage of wines protected by the *Denominación de Origen Calificada Rioja*, made in own facilities or purchased from other registered wineries.

4. Ageing Wineries are those that are devoted to ageing of wines protected by the *Denominación de Origen Calificada Rioja*, and may also make wine.

5. Any of the above can also be considered a Bottling Winery if it meets the requirements of section 5 in article 26.

6. Any of the above may also be considered a Cooperative Winery if its partners are constituted under such legal figure.

Article 29. Validity of registrations.

1. For the validity of registrations in the relevant Registers, it will be essential to comply at all times with the requirements set out in this chapter, and the Control Board must be informed of any variation that affects the data provided in the registration when it occurs.

2. Any modification or extension that occurs in the wineries that upon entry into force of these Regulations are included in any of the Registers shall be subject to the requirements that are set out in this chapter for new registration.

3. All registrations in the different Registers will be renewed in due time and in a manner determined by the Control Board.

CHAPTER VI

Disciplinary regime

Article 30. General principles.

1. Individuals or legal entities registered in the Control Board of the *Denominación de Origen Calificada Rioja*, as well as the members that make up the management entity, are subject to the liability derived from non-compliance with the provisions of these Articles.

2. In the exercise of disciplinary authority, the criteria of proportionality of the sanction shall be respected with the seriousness of the facts and their consequences as well as the concurrence of attenuating or aggravating circumstances.

3. The disciplinary regime set out in these Articles is understood to be without prejudice to the responsibilities of any other order in which the registered members and members of the management entity may have incurred.

4. Disciplinary sanctions may not be imposed except by virtue of proceedings to that effect, in accordance with the procedure set out in this chapter.

5. Disciplinary power corresponds to the Plenary.

Article 31. Disciplinary offences.

Disciplinary offences are classified as minor, serious and very serious.

1. Minor offences are:

a) Delay in the payment of the fees determined for funding the Control Board

b) Disregard of requests made by the Control Board.

c) Lack of due respect to the bodies of the Control Board and the members of the management entity.

d) Failure to comply with the decisions of the Control Board when they do not imply an infringement resulting from a sanctioning procedure.

2. Serious offences are:

a) Not to inform the Board of modifications in registered data, when it does not imply a violation from which a sanctioning process may arise.

b) The commission of three minor offences within one year.

3. Very serious offences are:

a) Repeated non-payment of fees or other payments mandatory for registered stakeholders. Repeated non-payment is defined as a consecutive non-payment of a fee or receipt in a year for the case of grape growers and the non-payment of three instalments or receipts in the case of winery owners.

b) Failure to comply with a sanction imposed for the commission of serious offences.

c) Preventing or hindering control by any means.

Article 32. Disciplinary sanctions.

For the offences referred to in the previous article, the following penalties may be imposed:

a) Written warning for minor offences.

b) Fine of up to 1,000 euros for serious offences.

c) Fine of up to 15,000 euros for very serious offences.

Article 33. Prescription.

1. Offences prescribe as follows:

a) Minor: after 6 months.

b) Serious: after 1 year.

c) Very serious: after 2 years.

2. Sanctions prescribe as follows:

a) Minor: after 6 months.

b) Serious: after 1 year.

c) Very serious: after 2 years.

3. The prescription period of offences will begin to count from the commission of the offence. The prescription period will be suspended by the initiation, with the knowledge of the affected party, of the disciplinary proceedings

The prescription period of sanctions will begin to count from the day following that in which the settlement by which the sanction is imposed becomes final. The performance of any action by the management entity in executing the sanction will interrupt its prescription period.

4. Cancellation means the cancellation of sanction records for all intents and purposes. Sanctions for the commission of minor, serious and very serious offences shall be cancelled after one year, two years and four years, respectively, counting from the fulfilment of the sanction in question.

Article 34. Disciplinary procedure.

1. For the adoption of disciplinary sanctions included in the previous articles, disciplinary proceedings will be instituted to allow the registered stakeholder to be informed of the facts and the disciplinary fault that is imputed to him, to participate in the proceedings to claim what is in their defence and, if so decided after such proceedings, imposing a sanction, which should be duly motivated.

The disciplinary proceedings will be initiated *ex officio* or at the request of a party, always by agreement of the competent body.

2. The competent body of the Control Board, when aware of an alleged disciplinary violation, will perform the necessary preliminary actions in order to determine if there are circumstances that justify such initiation, ordering in such event the closing of the proceedings.

3. The decision to initiate disciplinary proceedings will contain the following points:

- a) Identification of the accused person.
- b) Facts that motivate the initiation of disciplinary proceedings.
- c) Examiner of the procedure, with indication of cases of objection.
- d) Indication of the right to formulate allegations and a hearing.

4. From the initial decision, the interested party will be notified and given a period of fifteen business days to make such allegations as they may deem suitable.

5. After hearing the interested party and processing the relevant evidence, the Examiner will submit a Proposed Decision to the Plenary, which will issue a decision, which must be reasoned and in which they can not accept facts or fundamentals other than those that served as the basis for the proposal.

6. The maximum term in which a decision must be issued may not exceed six months from the date of the initial decision.

7. The interested party may appeal before the ordinary courts against the settlement that ends the proceedings.

18384 Order APA/3465/2004, of 20 October 2004, whereby the Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board are approved.

The Order of 3 April 1991, which grants the status of *Calificada* to the Rioja Designation of Origin and approves its Regulations and its Control Board, was declared null and void by the Supreme Court's Ruling of 10 June 2004, which indicated a formal defect in the processing of the aforementioned Order, since it was not passed by the Council of State.

Act 24/2003, of 10 July 2003, on the Vine and Wine regulated this matter and repealed Act 25/1970, of 2 December 1970 on the Statute on Vines, Wines and Alcohols. The current Law, in its ninth additional provision, consolidates the *Calificada* status of the Rioja Designation of Origin and, in turn, Royal Decree 1651/2004, of 8 July 2004, setting the rules for implementing the adaptation of the Regulations and management bodies of quality wines produced in certain regions to Act 24/2003, of 10 July 2003, on the Vine and Wine set out the criteria to carry out the necessary adaptation of the multi-regional management bodies and set a deadline of six months for the Control Boards to submit proposals for amendments to their respective Regulations.

However, without prejudice to the complete proposal to be made within a period of six months for the adaptation to the provisions of Act 24/2003, the Control Board of the *Denominación de Origen Calificada Rioja* has submitted an urgent proposal for, immediately, recover the regulations contained in the Order of 3 April 1991, as well as the content of the also annulled Decision of 7 January 1992 of the General Directorate of Food Policy, which approved the rules regarding the classification process that wines with the right to the *Denominación de Origen Calificada Rioja* must pass successfully, given the damage and legal insecurity that could arise for the sector.

In its preparatory phase, this Order has been submitted for consultation to the territorially affected Autonomous Communities and to the representative entities of the sector.

By virtue of this, in agreement with the Council of State, I hereby decree:

Single article. Approval of the rules governing *Consejo Regulador de la Denominación de Origen Calificada Rioja*

The Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board, whose Full Text appears as Annex 1, as well as the standards for classifying wines entitled to the *Denominación de Origen Calificada Rioja* that appear as Annex 2 hereto.

First interim provision. Historical situations of certain plantations and varieties.

Grapes from vineyard plantations carried out prior to 1 January 1956 with grape varieties different from those appearing in Article 5 the *Denominación de Origen Calificada Rioja* Regulations may be used to produce protected wines, as long as such plantations survive.

In the case of the Calagraño variety, plantations must be prior to 27 October 1970.

Second interim provision. Lodosa vineyards included in the Register.

The vineyards in the municipality of Lodosa, located on the right bank of the Ebro, which were included in the Register of Vineyards on 29 April 1991 will continue to be registered while they subsist.

Single final provision Entry into force.

This Order shall enter into force on the day following its publication in the Spanish Official Gazette.

ANNEX 1. Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board

CHAPTER I. Scope of protection and its defence

ARTICLE 1. Level of protection

In accordance with the provisions of Act 24/2003 on the Vine and Wine, of 10 July 2003 and Regulation (C) no. 1493/1999, of the Council, of 17 May 1999, which establishes the common organisation of the wine market, protection under the *Denominación de Origen Calificada Rioja* is granted to the quality wines traditionally designated under this geographical name that, having the characteristics defined in these Regulations, comply in their production, vinification, and ageing all the requirements demanded of it and in applicable laws.

ARTICLE 2. Scope of protection.

1. The protection granted by the *Calificada* Designation of Origin is that provided for in article 18 of Act 24/2003, and in other applicable regulations.

2. The use, in other wines, of names, trademarks, terms, expressions and signs that by their phonetic or graphic similarity with the protected ones, may induce them to be confused with those that are the subject of these Regulations, even if they are preceded by the terms 'type', 'style', 'vine', 'bottled in', 'with winery in', or other analogous terms is forbidden.

ARTICLE 3. Functions of the Control Board.

The Control Board of the *Calificada* Designation of Origin, in accordance with the provisions of Act 24/2003 and without prejudice to the competences of the Public Administrations, shall be entrusted with: The defence of the *Calificada* Designation of Origin and the application of its Regulations, enforcing them and promoting and controlling the quality of protected wines.

CHAPTER II. On production.

ARTICLE 4. Production area.

1. The production area of the *Denominación de Origen Calificada Rioja* consists of the lands located in the municipalities that are mentioned in section 2 of this article, which constitute the sub-areas called Rioja Alta, Rioja Baja and Rioja Alavesa, and that the Control Board considers suitable for the production of grapes of the varieties indicated in article 5 with the necessary quality to produce wines of the specific characteristics of those protected by the designation.

2. The municipalities that constitute the three sub-areas indicated in the previous section are:

- Rioja Alta:

Ábalos, Alesanco, Alesón, Anguciana, Arenzana de Abajo, Arenzana de Arriba, Azofra, Badarán, Bañares, Baños de Río Tobía, Baños de Rioja, Berceo, Bezares, Bobadilla, Briñas, Briones, Camprovín, Canillas, Cañas, Cárdenas, Casalarreina, Castañares de Rioja, Cellorigo, Cenicero, Cidamón, Cihuri, Cirueña, Cordovín, Cuzcurrita de Río Tirón, Daroca de Rioja, Entrena, Estollo, Foncea, Fonzaleche, Fuenmayor, Galbárruli, Gimileo, Haro, Hervías, Herramélluri, Hormilla, Hormilleja, Hornos de Moncalvillo, Huércanos, Lardero, Leiva, Logroño, Manjarrés, Matute, Medrano, Nájera, Navarrete, Ochánduri, Ollauri, Rodezno, Sajazarra, San Asensio, San Millán de Yécora, San Torcuato, San Vicente de la Sonsierra, Santa Coloma, Sojuela, Sorzano, Sotés, Tirgo, Tormantos, Torrecilla sobre Alesanco, Torremontalbo, Treviana, Tricio, Uruñuela, Ventosa, Villalba de Rioja, Villar de Torre, Villarejo and Zarratón, in the province of La Rioja, and the enclave of the municipality of Miranda de Ebro (Burgos), known as ‘El Ternero’.

- Rioja Baja:

Agoncillo, Aguilar del Río Alhama, Albelda, Alberite, Alcanadre, Aldeanueva de Ebro, Alfaro, Arnedillo, Arnedo, Arrúbal, Ausejo, Autol, Bergasa, Bergasilla, Calahorra, Cervera del Río Alhama, Clavijo, Corera, Cornago, El Redal, El Villar de Arnedo, Galilea, Grávalos, Herce, Igea, Lagunilla de Jubera, Leza del Río Leza, Molinos de Ocón, Murillo de Río Leza, Muro de Aguas, Nalda, Ocón (La Villa), Pradejón, Préjano, Quel, Ribafrecha, Rincón de Soto, Santa Engracia de Jubera (north zone), Santa Eulalia Bajera, Tudelilla, Villamediana de Iregua and Villarroya, in the province of La Rioja, and Andosilla, Aras, Azagra, Bargota, Mendavia, San Adrián, Sartaguda and Viana, in the province of Navarre.

- Rioja Alavesa:

Baños de Ebro, Barriobusto, Cripán, Elciego, Elvillar de Álava, Labastida, Labraza, Laguardia, Lanciego, Lapuebla de Labarca, Leza, Moreda de Álava, Navaridas, Oyón, Salinillas de Buradón, Samaniego, Villabuena de Álava and Yécora, in the province of Alava.

3. Any modification to the borders of the municipalities included in the production area will not entail the removal of any affected vineyards included in the Register of Vineyards at the coming into force of these Regulations.

4. The approval of the lands referred to in article 23.1.e) of Act 24/2003, will be carried out by the Control Board.

ARTICLE 5. Permitted grape varieties.

1. The vinification of the protected wines will be exclusively made with the following grape varieties: Tempranillo, Garnacha, Graciano, Mazuelo y Maturana Tinta, among red grapes, and Malvasía, Garnacha Blanca, Viura, Chardonnay, Sauvignon blanc, Verdejo, Maturana Blanca, Tempranillo Blanco and Turruntés, among white varieties.

2. From the aforementioned grape varieties the following are considered preferential: Tempranillo among reds, and Viura among whites.

ARTICLE 6. Growing practices

1. Mandatory minimum planting density is 2850 vines per hectare, and maximum planting density is 10 000 vines per hectare, distributed uniformly across the surface area of the plantation.

2. Irrigation of vineyards is authorised to maintain the balance in the plant throughout its growth cycle, although this practice during the period between 15 August and the harvest will be carried out exclusively with localised systems and will require notification in writing to the Control Board Inspection Service at least 24 hours in advance. Notwithstanding the above, spray irrigation may be employed during such period with prior authorisation from the Control Board Inspection Service, while all other irrigation methods are strictly forbidden during that period.

3. Permitted vine training and pruning systems are as follows:

- a) Traditional bush or *gobelet* and its variants.
- b) Double cordon.
- c) Rod and spur.
- d) Single or unilateral cordon

e) Double Guyot, exclusively for the white varieties: Chardonnay, Sauvignon Blanc, Verdejo, White Maturana Blanca, Tempranillo Blanco and Turruntés.

For the white varieties Chardonnay, Sauvignon Blanc, Verdejo, Maturana Blanca, Tempranillo Blanco and Turruntés, the maximum load is 16 buds per vine. Garnacha is allowed 14 buds. All the other varieties are pruned to a maximum 12 buds per vine.

4. The Ministry of Agriculture, Fisheries and Food may authorise, at the proposal of the Control Board, the application of new cultural practices, treatments or work that, being an advance of the viticultural technique, it is verified that they do not adversely affect the quality of the grape or of the wine produced.

5. Growing practices and previous actions will be adjusted to maximum production limits set out in Article 8 of these Regulations.

ARTICLE 7. Vintage regulation. Harvest Season Standards.

1. The harvest should be carried out with the greatest care. Only healthy grapes should be employed in the vinification of protected wines having a minimum natural potential alcohol content by volume (% vol.) of 11% vol. for red grapes and 10.5% vol. for white grapes. Red and white grapes should be delivered separately for each partial delivery or weighing with the sole exception of the provisions of Article 11 regarding the vinification of red wines.

For each harvest season, the Control Board will adopt the necessary decisions aimed at achieving quality optimisation.

2. The Control Board may determine the harvest start date and make decisions in each harvest season on the transport of the harvested grape so that it is carried out without deteriorating the quality.

ARTICLE 7 bis. Grape grower's card.

The Control Board will issue to the title owners of registered vineyards the relevant Grape Grower's Card, which is personal and non-transferable, to record grape deliveries. It will serve as a control instrument to be compulsorily used in all grape deliveries, and if applicable, sales.

ARTICLE 8. Maximum production yields

1. The maximum permitted production per hectare will be 6500 kg of grapes for red varieties, and 9000 kg for white varieties.

2. This limit may be modified annually by the Control Board, on its own initiative or at the request of registered stakeholders, carried out prior to the harvest, after the necessary assessments and verifications, in accordance with the provisions of letter d) section 2 of article 26 of Act 24/2003, without being able to exceed 8,125 kg per hectare, for red varieties and 11,250 kg per hectare, for white varieties.

3. Depending on the circumstances of the harvest season, the Control Board may reduce the maximum permitted production per hectare set out in section 1 of this article to 5525 kg per hectare for red varieties and 7650 kg per hectare for white varieties.

4. Furthermore, within the limits expressed in prior sections, the Control Board may set for a given harvest season, in addition to the yield subject to protection, a of deviation attributable to weather conditions. Under no circumstances will such addition be protected and it will have to adapt to the conditions set forth in the specific rules and regulations, in the Harvest Season Standards themselves and in applicable laws.

5. Grapes from vineyards whose yields exceed the authorised limit may not be used in the production of wines protected by this Designation, and the Control Board will have to take the necessary steps to ensure compliance.

ARTICLE 9. Planting.

To authorise new plantings, replantings and replacements in lands or vineyards located in the production area, a report from the Control Board will be mandatory for the purposes of its inclusion in the relevant Register.

1. Inclusion in the Register of Vineyards of new mixed plantations that, in practice, do not allow for complete separation of the different varieties at harvest will not be accepted.

CHAPTER III. On vinification.

ARTICLE 10. Vinification practices. Grape-to-wine ratio.

1. The techniques for handling grapes, must and wine, the control of fermentation and the process of preservation, will aim to achieve products with suitable quality and typicality, maintaining the traditional personality of the types of wine protected by the Designation.

2. In the production of must the following traditional practices shall be applied, employing a modern technology, focusing on optimising wine quality. Appropriate pressures should be applied to extract the must or the wine and separate it from the pomace, so that grape-to-wine ratio does not exceed 70 litres of wine per 100 kilograms of harvest. The fractions of must or wine obtained through unsuitable pressure levels cannot, under any circumstances, be used to produce protected wines.

The limit on the amount of litres of wine subject to protection per 100 kilograms of harvest may be exceptionally modified by the Control Board, on its own initiative or at the request of registered stakeholders, up to a maximum of 72 litres per 100 kilograms.

3. Taking into account the technical conditions of the vinification process of the protected wines and to the mere effects of control, making up to 74 litres per 100 kg of grapes will be justified. Any excess volume with respect to that indicated in the previous section will not be subject to protection.
4. Depending on the situation of the Region, in certain years the Control Board may reduce maximum grape-to-wine ratio as far down as 66 litres per 100 kilograms.
5. Under the conditions described in previous sections, the Control Board may also set a production deviation attributable to weather conditions as expressed in section 4 of article 8, and determine the management and destination of the resulting volume of non-certified wine.
6. The fractions of must or wine obtained through unsuitable pressure levels cannot be used to produce protected wines. In particular, the use of so-called continuous presses, which use a rotating auger and counterweight, is prohibited in the production of wines protected by this Designation of Origin.
7. The use of centrifugal crushers with a vertical shaft is also prohibited.
8. In the vinification of protected wines, practices such as grape preheating or the heating of must or wine when in contact with pomace in order to extract colouring matter are not allowed.
9. Pieces of oak wood may not be used in vinification and subsequent processes, including storage, of wines protected by the designation of origin.

ARTICLE 11. b.1) Proportion of varieties by type of wine.

1. In the vinification of the different types of protected wine, authorised red and white varieties should be employed in the following proportions:
 - Red wines: For red wines made with destemmed grapes, a minimum 95 per cent of grapes should be Tempranillo, Garnacha Tinta, Graciano, Mazuelo or Maturana Tinta. For red wines made with whole grapes, this figure should be no less than 85 per cent.
 - White wines: In the vinification of white wines, only Viura, Garnacha Blanca, Malvasía, Maturana Blanca and Tempranillo Blanco grapes may be used. Chardonnay, Sauvignon Blanc and Verdejo grapes may be used but none of them may dominate in the final product.
 - Rosé wines: A minimum 25 per cent of grapes must be Tempranillo, Garnacha Tinta, Graciano, Mazuelo and Maturana Tinta. Should Chardonnay, Sauvignon Blanc or Verdejo grapes be used, the limitations set out above should be taken into account.

2. In view of the compulsory separation of red and white grapes at harvest set out in Article 7, the optional mixture for rosé wines should take place after the grapes have been delivered and weighed in.

CHAPTER IV. On wine ageing ARTICLE 12.

Ageing area:

The ageing of the wines of the *Denominación de Origen Calificada Rioja* consists of the municipalities indicated in article 4.2 hereof.

ARTICLE 13. Requirements for the use of the terms *Crianza*, *Reserva* and *Gran Reserva* and the indication of sub-area.

1. Ageing of wines protected by the *Denominación de Origen Calificada Rioja* shall be carried out in the wineries included in the Register of Ageing Wineries for at least two calendar years from 1 October of the harvest year. The wines will be subjected to the traditional mixed ageing system in oak barrels of approximately 225 litres capacity, continuously and without interruption for no less than one year for red wines and for no less than six months for white wines and rosés, followed and complemented with ageing in the bottle.

2. Notwithstanding the provisions of section 1 of this article, the start of the calculation of the ageing period of the wines in barrels cannot be counted, under any circumstances, before 1 December of the vintage year.

3. The ‘Reserva’ and ‘Gran Reserva’ indications may only be used for wines of specific vintages that have acquired harmony in all their sensory qualities and outstanding aromatic wealth, as a consequence of an ageing process that shall necessarily comply with the following rules:

3.1 For the ‘Reserva’ indication:

- Red wines: Ageing in oak barrels and in the bottle for a total period of at least thirty-six months, with a minimum twelve months’ ageing in oak barrels.

- White and rosé wines: Ageing in oak barrels and in the bottle for a total period of at least twenty-four months, with a minimum six months’ ageing in oak barrels.

3.2 For the ‘Gran Reserva’ indication:

- Red wines: Ageing in oak barrels for at least twenty-four months, followed and complemented by a minimum thirty-six months in the bottle.

- White and rosé wines: Ageing in oak barrels and in the bottle for a total period of at least forty-eight months, with a minimum six months' ageing in oak barrels.

4. The name of a sub-area can only be applied to a wine when it is made exclusively with grapes from such sub-area, and ageing, as the case may be, and bottling take place within it.

ARTICLE 14. Vintage mention

The indications 'harvest', 'vintage', or other equivalents, shall apply exclusively to wines made from grapes harvested in the year mentioned in the indication and which have not been mixed with wine from other vintages. In order to correct the characteristics of the musts or wines of a given vintage, they may be mixed with those of others, provided that the volume of the must or wine of the vintage to which the indication refers is included in a minimum proportion of 85 per cent.

CHAPTER V. Wine approval and characteristics.

ARTICLE 15. Classification process

1. In order to make use of the Rioja name, all wines made in the production area must pass classification process in accordance with the provisions of Title IV of Council Regulation (EC) No 1493/1999.

2. The classification process shall be carried out by homogeneous batch or lot and must be done by the Control Board, according to the rules set out in Annex 2 of the Order by which the Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board are approved.

ARTICLE 16. Analytical characteristics of the wines

1. The types of wines protected by the *Denominación de Origen Calificada Rioja* are: Reds, rosés and whites with a minimum actual alcoholic strength of 11.5% vol. for reds and 10.5% vol. for whites and rosés.

Mixing these types of wines to obtain a type of wine which is different to the mixed wines is expressly prohibited.

2.1. The volatile acidity of the harvest wines, expressed in acetic acid, may not exceed 0.05 grams/litre (0.833 milliequivalents per litre), for each actual degree of alcohol, save for sweet and medium sweet whites and rosés, for which a limit is set of 1.5 g/l (25 milliequivalents per litre). Wines older than one year may not exceed 1 gram per litre up to 10% vol. and 0.06 grams per litre for each degree of alcohol that exceeds 10% vol.

2.2 The total acidity of wine protected by the *Denominación de Origen Calificada Rioja* may not be less than 3.5 g/l (46.6 milliequivalents per litre) of tartaric acid.

3. Wines protected by Designation of Origin that are ready to drink may not exceed maximum limits of total sulphur dioxide (expressed in milligrams per litre), as listed below:

- White and rosé wines, with less than 5 grams of sugar per litre: 180.
- Red wines, with less than 5 grams of sugar per litre: 140.
- White and rosé wines, with 5 or more grams of sugar per litre: 240.
- Red wines, with 5 or more grams of sugar per litre: 180

4. For protected wines to have the right to bear the name of the sub-areas 'Rioja Alta', 'Rioja Baja' and 'Rioja Alavesa', or that of a minor geographical entity included in one of these sub-areas, in addition to having been made in their entirety with grapes collected in the territorial area of the relevant zone or minor geographical entity, must also meet the following analytical requirements:

Sub-areas and types of wines. Minimum actual alcoholic strength (% vol.)

- Rioja Alta and Rioja Alavesa.
- Reds 11.5.
- Whites 11.0.
- Rosés 10.5.
- Rioja Baja.
- Reds 12.0.
- Whites 11.5.
- Rosés 11.0.

5. The wines with the right to 'Reserva' and 'Gran Reserva' indications must have a minimum actual alcoholic strength of 12% vol., in the case of red wines, and 11% vol., in the case of whites and rosés.

ARTICLE 17. Downgrading.

1. Certified wines must preserve their characteristic sensory qualities, particularly in terms of colour, aromas and flavours. In the event that any alteration in these characteristics is found, to the detriment of the quality, or that in its vinification or ageing the precepts of these Regulations or those indicated in current laws have been breached, it will be downgraded by the Control Board, which will entail the loss of the right to use the designation in the affected item.

Likewise, any product obtained by mixing with a previously downgraded product will be considered downgraded.

2. The downgrading of the wines may be carried out by the Control Board at any stage of their preparation or ageing, inside the production area and, from the initiation of the downgrading proceedings, they must remain in containers, identified and properly labelled, under the Control Board control.

Under no circumstances can the product be transferred to another registered winery.

CHAPTER VI. Registers.

ARTICLE 18. Types of registers.

1. The following Registers will be kept by the Control Board:

- a) Register of Vineyards.*
- b) Register of Winemaking Wineries.*
- c) Register of Wine-keeping Wineries.*
- d) Register of Ageing Wineries.*
- e) Register of Bottling Wineries.*

2. Submissions to registers are to be addressed to the Control Board, together with details, documents and vouchers as required in each case by provisions and regulations in force, in the forms provided by the Control Board.

3. The Control Board will reject any submissions that fail to comply with Regulations or the decisions of the Control Board on complementary technical conditions for vineyards or wineries.

4. Inclusion in these Registers does not exempt stakeholders from the obligation to enrol in such registers as may have been generally set up, particularly with regard to the Register of Agricultural Industries and the Register of Wine Bottlers, as the case may be, evidence of which will be required before inclusion in Control Board Registers is allowed.

ARTICLE 19. Register of Vineyards

1. All those located in the production area whose grapes can be used for the production of protected wines will be registered in the Register of Vineyards.

2. Registration will include: The name of the owner and, as the case may be, the name of the tenant farmer, sharecropper, leaseholder, holder or any other useful domain owner; the name of the vineyard, area and municipality in which it is located, production surface area, variety or varieties of grapes planted and all such details as may be necessary for its classification and location.

3. The registration application is to be accompanied by a detailed map or drawing to be attached, as determined by the Control Board, to the plots subject to the same, and the plantation authorisation issued by the competent Administration.

4. Registration in the Vineyard Register is voluntary, as well as withdrawal from it.

ARTICLE 20. Register of Winemaking Wineries.

1. All those located in the production area in which only grapes or must from registered vineyards are vinified, whose wines produced are eligible for the *Denominación de Origen Calificada Rioja* and meet all regulatory requirements will be included in the Register of Winemaking Wineries.

2. Registration will include the name of the company, town and location, characteristics, number and capacity of the containers and machinery, vinification system and such details as may be necessary for perfectly identifying and cataloguing of the winery. In the event that the winemaking company is not the owner of the facilities, this shall be recorded, evidencing this circumstance, as well as the identity of the owner. It will be accompanied by a map or drawing at a convenient scale in which all the details of construction and facilities are reflected.

ARTICLE 21. Register of Wine-keeping Wineries.

All those located in the production area that are exclusively devoted to the storage of wines protected by *Calificada* designation of origin will be included in the Winekeeping Winery Register. Registration will include details mentioned in Article 20.

ARTICLE 22. Register of Ageing Wineries.

1. All those located in the ageing area that are devoted to the ageing of wines entitled to the *Denominación de Origen Calificada Rioja* will be registered in the Register of Ageing Wineries. The registration will include, in addition to the data referred to in article 20, all those specific to this type of cellar, such as the surface area and the number of barrels, among others.

2. The premises or cellars intended for ageing must be free of trepidation, with a constant, cool temperature throughout the year and with suitable humidity and ventilation.

3. The wineries must have a minimum stock of 225 hectolitres, which is in the process of ageing, of which at least half must be contained in a minimum of 50 oak barrels of 225 litres of approximate capacity.

ARTICLE 23. Register of Bottling Wineries.

All those located in the production area that are devoted to the bottling of wines protected by the *Denominación de Origen Calificada Rioja* will be included in the Register of Bottling Wineries. Registration will include data referred to in article 20, the specific data of this type of winery, such as stabilisation and bottling facilities and machinery, as well as its surface area and capacity.

ARTICLE 24. Separation of wineries.

It is an essential condition for registering a winery or keeping it in the register that all liquid and gas conduits be independent from those of premises (which must be separated by a public roadway) where wines that are not protected by the *Denominación de Origen Calificada Rioja* are made, handled or stored (except for bottled, labelled products in transit storage), in accordance with the provisions of article 23.1.d) of Act 24/2003.

ARTICLE 25. Validity of registrations.

1. For the validity of registrations in the relevant Registers, it will be essential to comply at all times with the requirements set out in this chapter, and the Control Board must be informed of any variation that affects the data provided in the registration when it occurs.
2. Any modification or extension that occurs in the wineries that upon entry into force of these Regulations are included in any of the Registers shall be subject to the requirements that are set out in this chapter for new registration.
3. All registrations in the different Registers will be renewed in due time and in a manner determined by the Control Board.

CHAPTER VII. Rights and obligations.

ARTICLE 26. Rights and obligations related to the use of the *Denominación de Origen Calificada*.

1. Only natural or legal persons who have entered their vineyards or facilities in the registers indicated in article 18 may produce grapes for making wines protected by the *Denominación de Origen Calificada Rioja* or to make or aged wines that are to be protected by it.
2. Only the *Denominación de Origen Calificada Rioja* can be applied to wines from wineries registered in the relevant Registers that have been made according to the standards required by these Regulations, and that meet the winemaking and sensory conditions that should characterise them.
3. In order to use the name of the *Denominación de Origen Calificada Rioja* in advertising, documentation or labelling, registration of the firm in the relevant Register will be an indispensable requirement. Labels must necessarily include the name or corporate name. A trade name may also be used in the manner provided in article 29.7 of the registered firm holder of this right.

4. Given the voluntary nature of inclusion in the relevant Registers, by the mere fact of it, the registered natural or legal persons are obliged to comply with the provisions of these Regulations and the decisions that, within its powers, the Control Board may issue, without prejudice to the provisions of current legal regulations, as well as to satisfy the relevant fees.

ARTICLE 27. Exclusivity of production, vinification and storage.

1. Only grapes from registered vineyards and must or wine from registered wineries may be introduced in registered wineries all such registrations being as set out in Article 18.

2. Individuals or legal entities that have registered vineyards or wineries may only have their grapes, musts or wines stored on the land or premises declared in the Register and shall otherwise lose their right to the designation.

3. The Control Board is authorised to allow wineries included in the Registers of the *Denominación de Origen Calificada Rioja* to make musts, sangrías, sparkling wines and vermouths, among others, as long as it does not cause damage to the designation, and such processing represents a secondary activity and in accordance with its relevant regulations, and that the must or wines used have been made with grapes from registered vineyards but have not been submitted for classification or have not exceeded or have been downgraded for any reason, without right, therefore, to the use of the designation.

ARTICLE 28. Conditions for the designation of wines from a given zone

The brands, symbols, advertising legends or any type of advertising used for wines protected by the designation governed by these Regulations may not be used under any circumstances, even by the owners themselves, to market other wines or beverages derived from wine, except when the Control Board, at the request of the interested party, understands that the application of these names cannot cause damage to protected wines, in which case it will submit the proposal to the General Directorate of Food and Agri-Food Industry.

ARTICLE 29. Labelling requirements.

1. The name of the Designation and the logo of the Control Board must be prominently displayed on packaged wine labels, in addition to the information that is generally determined in applicable legislation.

2. Before a label can be circulated, it must be authorised by the Control Board for the purposes listed herein. An authorisation that has already been granted may be revoked when the circumstances of the natural or legal person that owns it alluded to on the label have changed.

3. All packaging in which the wines are expedited for drinking is to be provided with guarantee seals, numbered labels or back labels issued by the Control Board, and always in a form that does not allow for reuse.

There must be correspondence between the back labels, labels and control elements of the Control Board.

4. For ‘Crianza’, ‘Reserva’ and ‘Gran Reserva’ wines, the Control Board will issue specific back labels and authorise the mention of such indications on the label.

5. On the outside of registered wineries, in a prominent place, there will be a plaque identifying this.

6. The trademark is compulsory on labels of wines certified by the *Denominación de Origen Calificada Rioja*, as set out in Annex VII, Point F of Council Regulation (EC) No 1493/1999.

7. Firms included in the Register of Wineries referred to in article 18 herein may use for any batch of wines they may ship their own registered trade names in addition to or in substitution of their name or corporate name such trade names as they may have registered as their property, provided the requirement of notifying the Control Board together with the documentary evidence of such ownership and the express statement of liability for the use of such names in wines protected by the Designation is fulfilled.

8. For wines protected by the *Denominación de Origen Calificada Rioja*, the provisions of article 4.1 of Regulation (EC) no. 753/2002 of 29 April 2002, which sets certain provisions for the application of Council Regulation (EC) 1493/1999 for the description, designation, presentation and protection of certain wine products, in relation to letter E of Annex VII to this last norm, with regard to the substitution of the name or the corporate name, or, as the case may be, of the trade name, by a code, under the conditions set out therein.

Also, and in accordance with the provisions of Article 15 of Regulation (EC) no. 753/2002, in contract bottlings, a code may not substitute the name or corporate name of the bottler, except in cases of provision of the bottling service to registered wineries lacking the appropriate machinery.

ARTICLE 30. Back labelling document.

All persons in the Register of Bottling Wineries are obliged to extend a back-labelling or sealing document listing the batches sealed or back-labelled every day.

ARTICLE 31. Circulation of products

1. Any consignment of must, wine or any other grape product or winemaking by-product circulating within the production area, between wineries or registered facilities, must be accompanied by the relevant authorised commercial document or a document that is current at all times, issued by the sender, and a copy of the document sent to the Control Board.

2. The consignment of the products referred to in the previous paragraph must be authorised in advance by the Control Board in the manner it may determine. If the consignment is made by a registered winery and the destination a non-registered winery, the winery must also request such authorisation from the Control Board.

ARTICLE 32. Bottling requirements.

1. The bottling of wines protected by the *Denominación de Origen Calificada Rioja* must be carried out exclusively in registered wineries authorised by the Control Board. Otherwise, the wine shall lose the right to use the designation.

2. Wines protected by the *Denominación de Origen Calificada Rioja* can only circulate and be consigned in packaging that does not harm their quality or prestige and it must be approved by the Control Board. In general, containers must be made of glass and have the capacities authorised by the European Union with the exception of the one-litre range. Exceptionally, the Control Board may authorise other types of packaging for special uses, which it understands will not harm the quality or prestige of the protected wines.

Regardless of the provisions of section 3 article 28 herein, the Control Board may establish specific formulas to meet the guarantee and control requirements for wines protected by the *Denominación de Origen Calificada Rioja* in the case of special marketing modalities.

ARTICLE 33. Outbound to inbound correspondence

1. The wine consigned by each registered winery must agree with the quantities of grape purchased, stocks of previous vintages and purchases of wines or musts from other registered companies.

2. Stocks of wine being aged in barrels or bottles can only be consigned when they have fulfilled the requirements set forth in article 13.

ARTICLE 34. Statements

1. In order to control production, vinification, age and stock, as well as the qualities, types and all other aspects as may be necessary to be able to prove the origin and quality of the wines, the natural or legal persons title owners of vineyards and wineries are to submit the following statements:

a) All those registered in the Register of Vineyards will submit, once the harvest is completed, and in any case before 30 November each year, a statement of the grape harvest obtained and, in case of sale, the name of the buyer. If different types of grapes are produced, they must declare the amount obtained of each one.

b) All parties included in the Register of Winemaking Wineries must declare, before 30 November, the quantity of must and wine obtained according to the different types made, indicating the source of the grape and, in the case of sales during the harvest season, the destination of the products, indicating buyer and quantity.

As long as they have stocks, they must declare shipments on a monthly basis.

c) All parties included in the Registers of Winekeeping, Ageing and Bottling Wineries are to submit, within the first ten days of each month, a statement of arrivals, shipments and internal movements between the different types of containers during the previous month. This statement will consist of the presentation of photocopies signed by a person authorised by the firm or company name of the wine stocks and movements control records, which must be completed for each type and vintage of wine existing in the cellar according to the models and instructions set out the Control Board. Likewise, they will submit, together with the above statement, the list of certificates of origin used in the previous month in the model set out by the Control Board.

d) All parties included in the various registers of wineries are to submit, within the first ten days of the months of January, April, July and October, the stocks of unused back labels and seals existing in the winery as of 31 December, 31 March, 30 June and 30 September, respectively.

For the purpose of monitoring labelling in the previous year, the statement of end-of-year stocks should mention the series and numbering of the existing back labels and seals.

2. Depending on the progress of the harvest season, the Control Board may modify the date of presentation of the statements referred to in sections a) and b) of the previous number.

3. The Control Board will set up appropriate means of control to ensure that only production from registered vineyards enters registered wineries.

CHAPTER VIII. On the Control Board.

ARTICLE 35. Legal nature.

The Control Board of the *Denominación de Origen Calificada Rioja* is a devolved body of the Ministry of Agriculture, Fisheries and Food with decision-making powers for the functions given to it in the Regulations.

ARTICLE 36. Scope.

The scope of jurisdiction of the Control Board will be determined:

a) Territorially, by the production and ageing area.

b) With regard to products, by those protected by the Designation of Origin in any of its production, processing, ageing and marketing phases.

c) With regards to persons, by those included in the various Registers.

ARTICLE 37. Functions.

1. The functions of the Control Board are to apply the precepts of these Regulations and its complementary provisions, and to ensure compliance thereof, for which purpose it will exercise the functions entrusted to it in the legal system, as well as those expressly indicated in the articles of these Regulations.
2. Likewise, from its socio-economic role of defence of the interests of the sector, the Control Board will encourage initiatives for establishing interprofessional collective agreements between registered grape growers and winery owners.

ARTICLE 38. Control Board Plenary.

1. The Control Board, after appointment by the Ministry of Agriculture, Fisheries and Food will be constituted by the members of the board of directors of the Rioja Wine Interprofessional Organization.
2. The members of the Control Board will have the same representation and the same number of votes as those they have on the board of directors of the interprofessional organisation.
3. The process for substitutions and replacements is that set out for the members of the board of directors of the interprofessional organisation in its Articles.
4. The president of the Control Board shall be the chair of the board of directors of the interprofessional organisation which, according to its Articles, may be a member of the board or a person external to it.
5. The renewal of the members of the Control Board and the accreditation of the representativeness of the votes in the Control Board will take place automatically, as they are those of the board of directors of the Interprofessional Organisation.
6. The Ministry of Agriculture, Fisheries and Food and each of the Administrations of La Rioja, Basque Country and Navarre, may appoint a representative, who will attend and participate in plenary meetings with voice but without vote.

ARTICLE 39. Functions of the Plenary and the Standing Committee.

1. The Control Board has, in addition to the functions set forth in the provisions of a general nature which apply to it, and those attributed in these Regulations, the following responsibilities:
 - a) Complying with and enforcing the Regulations, proposing to that effect such internal provisions as may be necessary and ordering the execution of its decisions.
 - b) Regulating and managing the activity of the Control Board.
 - c) Organising the internal regime of the Control Board.

- d) Organising and directing services.
- e) Managing the revenues and funds of the Control Board and order payments.
- f) Hiring, suspending or renewing its staff.
- g) Reporting to the public administration about incidents may that occur in production and the market.
- h) Sending to stakeholder entities those general compliance decisions agreed by the Control Board, pursuant to the responsibilities conferred by these Regulations, and those whose importance it considers warrants they be known.

2. The functions of sections b) to h) of the previous number may be delegated to the Standing Committee set forth in the following point or in the person or position determined by the Plenary.

3. To resolve procedural issues, or in those cases deemed necessary, a Standing Committee may be set up consisting of the Chairman and the number of regular members agreed upon by the Control Board Plenary, appointed by it, and which jointly represent each sector.

In the session in which the constitution of said Standing Committee is agreed, the specific missions that fall upon it and the functions that it will exercise will also be agreed upon.

All settlements adopted by the Standing Committee will be communicated to the Plenary of the Board, which will ratify them, if applicable, at the first meeting.

ARTICLE 40. Functions of the president.

The President of the Control Board has the following functions:

- a) Legally representing of the Control Board before any public or private entity, Administrations, Organisms, judicial and mediation instances. This representation may be expressly delegated with agreement of the Plenary.
- b) Chairing sessions and moderating the development of the debates, ordering the deliberations and voting.
- c) Ensuring compliance with the law.
- d) Signing off minutes and certifications of decisions.
- e) Exercising any function specifically assigned by Law, Regulations or the Plenary.

ARTICLE 41. Control Board functioning. Adoption of decisions.

1. The Control Board is to meet at least once every two months and whenever deemed necessary by the President or upon request of its members with the support of at least 15 per cent of the votes.
2. The sessions of the Control Board will be convened by the President, by means of a written document that will contain the order of the day of the meeting, with an advance of seven calendar days to its celebration, except in cases of urgency, in which this period will be reduced to forty-eight hours.
3. When the initiative of the call comes from the owners of at least 15 per cent of the votes, the matters included in the request along with those proposed by the Presidency shall be included in the agenda, and the meeting shall be held within the seven calendar days following receipt of the request by the Presidency.
4. Meetings may not discuss or make decisions that are not on the agenda, unless all members of the Plenary are present and agree unanimously.
5. In case of justified absence of the full members of the Plenary, except for the President, the Association to which he/she belongs will communicate in writing to the Control Board the name of his/her substitute, with specific nature for each session. The absence of any association will imply that the percentages for making decisions are understood as referring to the present votes.
6. For the valid constitution of the Control Board Plenary the presence of the President and the Secretary is required, being able to be replaced, respectively, by the position or person assigned to the Control Board that is previously determined. Likewise, in the first call, two thirds of the votes of each branch, growers and winemakers, and on the second convocation, one third of the votes of each, must attend the meeting present or represented, provided that at least one hundred votes of the total votes of the Control Board as a whole.

The member associations of the Control Board to which several members correspond will name a spokesperson who will assume all their representativeness in regard to voting rights and representation. For this assumption, in the computation of quorum and majorities, it will be understood that said member at large concurs for all those that correspond to their association.

Control Board Plenary decisions require a minimum of 75% of votes present or represented and at least 50% of the votes of each professional sector. For these purposes, blank votes or abstentions will not be computed.

ARTICLE 42. Control Board staff.

1. For the fulfilment of its purposes, the Control Board will have the necessary personnel in accordance with the templates approved by the Plenary, which will be included in the Board's own budget.

2. The Board shall have a secretary appointed by the Board itself at the proposal of the president, on whom it shall directly depend, and whose specific duties shall be the following:

- a) Preparing the work of the Board and process the implementation of its decisions.
- b) Attending sessions with voice but without vote, to take the calls, to take the minutes and to keep the books and documents of the Board.
- c) Dealing with matters relating to the internal regime of the entity, regarding both staff and administration, exercising the immediate leadership over the staff.
- d) Such functions as may be entrusted by the President related to the preparation and implementation of matters within the competence of the Board.

3. For the technical functions entrusted to it, the Board will have the necessary Technical Services, to be managed by a competent technician appointed by the Board at the proposal of the president.

4. The Control Board will have an attorney who will be in charge of the Legal Department of the Organisation and of all other functions entrusted to him.

5. The Control Board may hire personnel for special or specific work of a temporary nature, provided that a budget is made available for that concept.

6. All Control Board staff, whether fixed or temporary, will be subject to labour legislation.

ARTICLE 43. Funding.

1. The funding of the Board's obligations will be carried out with the following resources:

a) The product of the compulsory fees referred to in letter h) of section 2 of Article 26 of Act 24/2003, of 10 July 2003, for the funding of budgets, set by the General Directorate of Food and Agri-Food Industry, at the proposal of the Control Board, within the following percentages:

1. Up to 7% of the value of protected production in the name of each interested party, depending on the price estimated for the area in the previous harvest season.

2. Up to 7% of the value resulting from multiplying the weighted average price of the unit of the protected product, according to its category: unaged, Crianza, Reserva and Gran Reserva, estimated from the periodic declarations of consignments to the foreign market, for the volume of back labels or seals for each winery in the previous harvest season.

b) For the issue of certificates: The price of 1 euro, reviewed annually according to the consumer price index.

c) For the issue of seals or back labels: Double their cost price.

Those obliged to pay each one of the fees are: those of paragraph 1 of letter a), the owners of the registered plantations; those of paragraph 2 of letter a), the owners of the registered wineries that ship wine to the market; those of letter b), registered owners applying for certificates and those of letter c), purchasers of seals or back labels.

d) Grants, bequests and donations.

e) The amounts that may be collected as compensation for damages caused to the Board or the interests it represents.

f) Its assets and their products and revenues.

2. The management of the revenues and expenses that appear in the budgets is carried out by the Control Board.

ARTICLE 44. Control Board Decisions.

1. The decisions of the Control Board that are not specific and affect a plurality of subjects, will be notified by means of circulars that will be exhibited in the offices of the Board and will be and will be sent to the Agricultural Offices of the Town Councils of the municipalities included within the production area and the legally constituted organisations of the sector. The exhibition of the circulars or the announcement thereof will be published in the Official Gazettes of the Historical Territory of Álava, the Statutory Community of Navarre and the Autonomous Community of La Rioja.

2. The decisions and settlements adopted by the Control Board Plenary shall be appealable to the General Directorate of Food and Agri-Food Industry of the Ministry of Agriculture, Fisheries and Food.

CHAPTER IX. Control and Supervision of the Designation.

ARTICLE 45. Control and Surveillance.

The Control and Surveillance of the *Denominación de Origen Calificada Rioja* will be carried out by Overseers. These overseers will be empowered by the MAPA, at the initiative of the Control Board, in compliance with the provisions of article 27.1.b) of Act 24/2003. Control and surveillance will be carried out on the following:

a) Vineyards located in the production area.

b) Wineries and bottling plants in the production and ageing area.

c) Grapes and wines in the production area.

d) Wines protected in the national territory in cooperation with the relevant authorities, giving an account of their actions.

First additional provision. Maximum grape-to-wine ratio.

1. Notwithstanding the provisions of Article 10, paragraph 2, the limit of litres of wine per 100 kilograms of harvest is set at 74 for growing seasons 2007/2008, 2008/2009 and 2009/2010.

Second additional provision. Qualitative stock.

1. For growing seasons 2007/2008, 2008/2009 and 2009/2010, once the maximum yield subject to protection referred to in article 8.1 has been delivered, growers may voluntarily, and with the agreement of the receiving winery, deliver up to 10% more of the production of their registered vineyards above the maximum yield subject to protection. This volume, included in the possible increase in yields provided for in article 8.2, will have the status of 'qualitative stock'. The wine obtained from this production shall remain at the winemaking winery until such time as the Control Board determines whether it can be protected by the Designation or not, pursuant to the provisions of paragraph 6 of this additional provision.

To avail themselves of this stock, growers should submit a written declaration to the Control Board as soon as possible and in any case before harvest begins, signed by the grape-grower and the winery to which he/she will be delivering his/her grapes for stock.

2. During the aforementioned growing seasons, the Control Board will not be able to make use of the provisions in article 8.2.

3. Operators that do not have protected grapes from the harvest season may not opt to make qualitative stock. The maximum limit of qualitative stock in the winery will be 20% of the protected grapes received and/or resent. These provisions will not apply to owners of winemaking wineries for the exclusive purposes of introducing 10 per cent of the stock of their own harvest.

4. The qualitative stock will not be transferable between operators unless they are facilities of the same business group.

5. Once the performance limits resulting from the application of paragraph 1 of this provision have been exceeded, the respective owners may not use the Grape Grower's Card, except for deliveries that are temporarily provided for in the third additional provision.

6. In order for wine from the qualitative stock to be protected by the designation, the ratio obtained from the quotient that results from dividing the sum of the total stocks of protected wine on 1 January, minus the marketing of the last 12 months (year-on-year) as of 30 September, after deducting total losses declared in the previous calendar year, plus the theoretical eligible volume resulting from the harvest of the year in question, between the total outputs of the last 12 months to 30 September (year-on-year), it should be less than 2.85. In the event that this ratio is between 2.85 and 3, only 50 per cent of the stock will be protected. If it were higher,

the wine will definitely be downgraded and must be sent to distillation, something that has to take place before 31 March.

Affected wines must, in all cases, exceed the approval process referred to in Article 15 of these Regulations.

Third additional provision. Additional deliveries due to weather.

In order to allow for the chance of adverse weather at the end of the growth cycle, registered growers are allowed to deliver grapes up to 10% in excess of maximum yield for the 2007/2008 growing season, regardless of the amount delivered to make up the qualitative stock or in the absence of the covenant to create such stock. This amount can not be protected by the Designation.

The above measure will be extended to the 2008/2009 and 2009/2010 growing seasons, reducing the delivery percentage to 8% and 5%, respectively.

Fourth additional provision. Monitoring of excess production yields and wines from the qualitative stock during the 2007/2008, 2008/2009, 2009/2010 and 2010/2011 growing seasons.

1. Both the wines from surplus production due to weather conditions or grape-to-wine ratios and those set aside for qualitative stock must be kept in the winery apart from the approved wine and not moved until their final destination has been decided upon.
2. Wines from surplus production due to weather conditions or to grape-to-wine ratios should be removed from the winery before 31 May on the year following their production.
3. For each harvest season of those between 2007/2008 and 2010/2011, the Control Board will adopt the necessary decisions for the application of the requirements referred to the wines set aside for the constitution of the qualitative stock, which will be included in the respective harvest season standards.

Order of 3 April 1991 of the Ministry of Agriculture, Fisheries and Food, by which the Rioja Designation of Origin is granted *Calificada* status and the Regulations governing it and its Control Board are approved.

(B.O.E. no. 85, 9 April 1991)

Within Title III (on the protection of quality) of the Statute on Vines, Wines and Alcohols, approved by Act 25/1970, of 2 December 1970, Article 86 sets out the possibility of granting *Calificada* status to any designation of origin when certain products have special characteristics and its Control Board so requests it.

The implementation of this Law is contained in the form specified in chapter III (*denominaciones de origen calificadas*) of Royal Decree 157/1988, of 22 February 1988, which sets the regulations governing both normal and *Calificada* designations of origin and their respective Regulations.

The Control Board of the Rioja Designation of Origin requested that it be granted *Calificada* status and the relevant Regulations be approved. Considering that the requirements set out in chapter III of Royal Decree 157/1988, of 22 February 1988 are met and having heard the Autonomous Communities concerned, I hereby decree:

One. The *Calificada* status to the Rioja Designation of Origin pursuant to the provisions of article 86 of the Statute on Vines, Wines and Alcohols, approved by Act 25/1970, of 2 December 1970 and implementing provisions.

Two. The Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board, whose Full Text appears as an annex to this Order.

REPEALING PROVISION.

The order of 2 June 1976 (R. 1976, 1655, 1852, 1942 and Ap. 1975- 85, 14049) approving the Regulations of the Rioja Designation of Origin and its Control Board is hereby repealed. (The Annex includes successive corrections of errata, modifications and inclusions up to 23 May 2001).

ANNEX

Regulations of the *Denominación de Origen Calificada Rioja* and its Control Board

CHAPTER ONE

Scope of protection and defence.

Art. 1.

In accordance with the provisions of Act 25/1970, of 2 December 1970 (quoted), Statute on Vines, Wines and Alcohols, and its Regulations approved by Decree 835/1972, of 23 March 1972 (R. 1972, 685, 1419 and N. Dicc. 30584), as well as Royal Decree 157/1988, of 22 February 1988 (R. 1988, 399 and 603), which sets out the regulations governing *Calificada* designations of origin and their respective Regulations, and the provisions set out by the European Economic Community for quality wines produced in specific regions, protection is afforded by the *Denominación de Origen Calificada Rioja* for quality wines traditionally designated under this geographical name that have the characteristics set out in these Regulations and meet all the requirements set out therein and in any applicable laws regarding production, vinification and ageing.

Art. 2.

1. The protection granted extends to the name of the *Calificada* designation of origin and to the names of the sub-areas, districts, municipalities, towns and terroirs that make up the production and ageing areas, in accordance with article 81 of Act 25/1970, of 2 December 1970 (quoted), and with the rest of the applicable laws. 2. The use, in other wines, of names, trademarks, terms, expressions and signs that by their phonetic or graphic similarity with the protected ones, may induce them to be confused with those that are the subject of these Regulations, even if they are preceded by the terms ‘type’, ‘style’, ‘vine’, ‘bottled in’, ‘with winery in’, or other analogous terms is forbidden.

Art. 3.

Defending the *Denominación de Origen Calificada*, enforcing its Regulations, monitoring compliance, as well as promotion and controlling the quality of the protected wines, are entrusted to the Control Board of the *Denominación de Origen Calificada* and the Public Administrations with jurisdiction in this issue.

CHAPTER II

On production.

Art. 4.

1. The production area of the *Denominación de Origen Calificada Rioja* is comprised of land located in the municipalities that are mentioned in section 2 of this article, which constitute the sub-areas called Rioja Alta, Rioja Baja and Rioja Alavesa, and which the Control Board considers suitable for growing grapes of the varieties indicated in article 5 with the necessary quality to produce wines of the specific characteristics of those protected by the designation.

2. The municipalities that constitute the three sub-areas indicated in the previous paragraph are:

Rioja Alta:

Ábalos, Alesanco, Alesón, Anguciana, Arenzana de Abajo, Arenzana de Arriba, Azofra, Badarán, Bañares, Baños de Río Tobía, Baños de Rioja, Berceo, Bezares, Bobadilla, Briñas, Briones, Camprovín, Canillas, Cañas, Cárdenas, Casalarreina, Castañares de Rioja, Cellorigo, Cenicero, Cidamón, Cihuri, Cirueña, Cordovín, Cuzcurrita de Río Tirón, Daroca de Rioja, Entrena, Estollo, Foncea, Fonzaleche, Fuenmayor, Galbárruli, Gimileo, Haro, Hervías, Herramélluri, Hormilla, Hormilleja, Hornos de Moncalvillo, Huércanos, Lardero, Leiva, Logroño, Manjarrés, Matute, Medrano, Nájera, Navarrete, Ochánduri, Ollauri, Rodezno, Sajazarra, San Asensio, San Millán de Yécora, San Torcuato, San Vicente de la Sonsierra, Santa Coloma, Sojuela, Sorzano, Sotés, Tirgo, Tormantos, Torrecilla sobre Alesanco, Torremontalbo, Treviana, Tricio, Uruñuela, Ventosa, Villalba de Rioja, Villar de Torre, Villarejo and Zarratón, in the province of La Rioja, and the enclave of the municipality of Miranda de Ebro (Burgos), known as ‘El Ternero’.

Rioja, and the enclave of the municipality of Miranda de Ebro (Burgos), called ‘El Ternero’.

Rioja Baja:

Agoncillo, Aguilar del Río Alhama, Albelda, Alberite, Alcanadre, Aldeanueva de Ebro, Alfaro, Arnedillo, Arnedo, Arrúbal, Ausejo, Autol, Bergasa, Bergasilla, Calahorra, Cervera del Río Alhama, Clavijo, Corera, Cornago, El Redal, El Villar de Arnedo, Galilea, Grávalos, Herce, Igea, Lagunilla de Jubera, Leza del Río Leza, Molinos de Ocón, Murillo de Río Leza, Muro de Aguas, Nalda, Ocón (La Villa), Pradejón, Préjano, Quel, Ribafrecha, Rincón de Soto, Santa Engracia de Jubera (north zone), Santa Eulalia Bajera, Tudelilla, Villamediana de Iregua and Villarroya, in the province of La Rioja, and Andosilla, Aras, Azagra, Bargota, Mendavia, San Adrián, Sartaguda and Viana, in the province of Navarre.

Rioja Alavesa:

Baños de Ebro, Barriobusto, Cripán, Elciego, Elvillar de Álava, Labastida, Labraza, Laguardia, Lanciego, Lapuebla de Labarca, Leza, Moreda de Álava, Navaridas, Oyón, Salinillas de Buradón, Samaniego, Villabuena de Álava and Yécora, in the province of Alava.

3. Any modification to the borders of the municipalities included in the production area will not entail the removal of any affected vineyards included in the Register of Vineyards at the coming into force of these Regulations.

4. The classification of the land for the purpose of its inclusion in the production area will be carried out by the Control Board and must be delimited in the relevant cartographic documents.

Art. 5.

1. The vinification of the protected wines will be exclusively made with the following grape varieties: the red Tempranillo, Garnacha, Graciano and Mazuelo and the white Malvasía de Rioja, Garnacha Blanca and Viura.

2. From the aforementioned grape varieties the following are considered preferential: Tempranillo among reds, and Viura among whites.

Art. 6.

1. Mandatory minimum planting density is 2850 vines per hectare, maximum planting density is 10 000 vines per hectare.

2. In general terms, growing practices must be aimed at optimising quality. To this purpose, each harvest season, the Control Board adopts the appropriate steps, particularly with regard to regulating irrigation according to ecological conditions.

3. Permitted pruning systems are as follows:

3.1. Traditional bush or *en vaso* system and its variants with a maximum load of only 12 buds per vine over a maximum of six spurs.

3.2. Espalier or trained pruning may be carried out albeit subject to the following requirements:

a) In the double cordon system, the maximum load will be 12 buds distributed over a maximum of six spurs.

b) For the rod and spur system the load will be distributed along a rod and one or two spurs with two buds with a maximum of 10 buds per vine.

3.3. In any case, for the Garnacha variety, the maximum load will be 14 buds per vine.

4. Regarding vineyard density, under no circumstances may the maximum limit of 36,000 buds per hectare be exceeded, except for the Garnacha variety, for which 42,000 buds per hectare will be allowed.

5. The Ministry of Agriculture, Fisheries and Food may authorize, at the proposal of the Control Board, the application of new cultural practices, treatments or work that, being an advance of the viticultural technique, it is verified that they do not adversely affect the quality of the grape or of the wine produced.

6. The preceding provisions shall be adjusted to the maximum production limits set out in Article 8 of these Regulations. Also, failure to comply with the rules relating to cultural practices referred to in this article will entail that can not be used in the production of protected wines the production of the affected area of the plot in the immediately subsequent harvest. All this without prejudice to the penalties that may be imposed, in accordance with the provisions of article 50.1.1 of these Regulations.

Art. 7.

1. The harvest should be carried out with the greatest care. Only healthy grapes should be employed in the vinification of protected wines having a minimum natural potential alcohol content by volume (% vol.) of 11% vol. for red grapes and 10.5% vol. for white grapes. Red and white grapes should be delivered separately for each partial delivery or weighing with the sole exception of the provisions of Article 11 regarding the vinification of red wines. For each harvest season, the Control Board will determine the necessary standards aimed at achieving quality optimisation.

2. In exceptional harvest seasons, the Control Board may propose the modification of the minimum alcoholic strengths set out in the previous section, either for the whole of the production area or for certain municipalities, respecting the provisions of current law on the subject, but, in such case, paragraph 2 of article 8 of these Regulations may not apply to the owners of affected vineyards.

3. The Control Board may determine the harvest start date and decide on rules on the transport of the harvested grape so that it is carried out without deteriorating the quality.

Art. 8.

1. The maximum permitted production per hectare will be 6500 kg of grapes for red varieties, and 9000 kg for white varieties.

2. This limit may be modified annually by the Control Board, on its own initiative or at the request of registered stakeholders, made prior to the harvest, after the necessary assessments and verifications, in accordance with article 5.1 of Royal Decree 157/1988, of 22 February 1988.

3. Depending on the circumstances of the designation, in certain harvest seasons, the Control Board may reduce the maximum permitted production per hectare set out in section 1 of this article, requiring a decision adopted by a qualified majority of two thirds of the members of the Plenary.

4. Grapes from vineyards whose yields exceed the authorised limit may not be used in the production of wines protected by this Designation, and the Control Board will have to take the necessary steps to ensure compliance.

Art. 9.

1. For the authorisation of new plantings, replantings and replacements in lands or vineyards located in the production area, a report from the Control Board will be mandatory, determining the possibility of inclusion in the relevant Register.

2. Inclusion in the Register of Vineyards of new mixed plantations that, in practice, do not allow for complete separation of the different varieties at harvest will not be accepted.

CHAPTER III.

On vinification.

Art. 10.

1. The techniques for handling grapes, must and wine, the control of fermentation and the process of preservation, will aim to achieve products with suitable quality and typicality, maintaining the traditional personality of the types of wine protected by the Designation.

2. In the production of must the following traditional practices shall be applied, employing a modern technology, focusing on optimising wine quality. Appropriate pressures should be applied to extract the must or the wine and separate it from the pomace, so that grape-to-wine ratio does not exceed 70 litres of wine per 100 kilograms of harvest.

The fractions of must or wine obtained through unsuitable pressure levels cannot, under any circumstances, be used to produce protected wines. The limit on the amount of litres of wine per 100 kilograms of harvest may be exceptionally modified by the Control Board, on its own initiative or at the request of registered stakeholders, up to a maximum of 72 litres per 100 kilograms.

3. Depending on the circumstances of the designation, in certain harvest seasons, the Control Board may reduce the maximum grape-to-wine ratio, requiring a settlement adopted by a qualified majority of two thirds of the members of the Plenary.

4. The fractions of must or wine obtained through unsuitable pressure levels cannot be used to produce protected wines. In particular, the use of so-called continuous presses, which use a rotating auger and counterweight, is prohibited in the production of wines protected by this Designation of Origin.

5. The use of centrifugal crushers with a vertical shaft is also prohibited.

6. The provisions of article 8.1, second paragraph, of Royal Decree 157/1988 of 22 February 1988 shall also apply.

Art. 11.

1. In the vinification of the different types of protected wine, authorized red and white varieties should be employed in the following proportions:

Red wines:

For red wines made with destemmed grapes, a minimum 95 per cent of grapes should be Tempranillo, Garnacha Tinta, Graciano and Mazuelo. For red wines made with whole grapes, this figure should be no less than 85 per cent.

White wines:

In the vinification of white wines, only Viura, Garnacha Blanca, Malvasía, Maturana Blanca and Tempranillo Blanco grapes may be used. Rosé wines: A minimum of 25 per cent of grapes must be Tempranillo, Garnacha Tinta, Graciano and Mazuelo.

2. In view of the compulsory separation of red and white grapes at harvest set out in Article 7, the optional mixture for rosé wines should take place after the grapes have been delivered and weighed in.

CHAPTER IV

Ageing of wines.

Art. 12.

Ageing of wines of the *Denominación de Origen Calificada Rioja* consists of the municipalities indicated in article 4.2 hereof.

Art. 13.

1. Ageing of wines protected by the *Denominación de Origen Calificada Rioja* will be carried out in the wineries included in the Register of Ageing Wineries, during at least two calendar years from 1 October of the harvest year in question. The wines will undergo the traditional mixed ageing system, in oak barrels of approximately 225 litres capacity, followed and complemented by ageing in the bottle. Barrel ageing must be continuous, without interruption for at least one year for red wines and for at least six months for white and rosé wines.

2. The ‘Reserva’ and ‘Gran Reserva’ indications may only be used for wines of specific vintages that have acquired harmony in all their sensory qualities and outstanding aromatic wealth, as a consequence of an ageing process that shall necessarily comply with the following rules:

2.1 For the ‘Reserva’ indication:

Red wines: Ageing in oak barrels and in the bottle for a total period of at least thirty-six months, with a minimum twelve months’ ageing in oak barrels.

White and rosé wines: Ageing in oak barrels and in the bottle for a total period of at least twenty-four months, with a minimum six months’ ageing in oak barrels.

2.2 For the ‘Gran Reserva’ indication:

Red wines: Ageing in oak barrels for at least twenty-four months, followed and complemented by a minimum thirty-six months in the bottle.

White and rosé wines: Ageing in oak barrels and in the bottle for a total period of at least forty-eight months, with a minimum six months’ ageing in oak barrels.

3. The name of a sub-area can only be applied to a wine when it is made exclusively with grapes from such sub-area, and ageing, as the case may be, and bottling take place within it.

4. Notwithstanding the provisions of section 1 of this article, the start of the calculation of the ageing period of the wines in barrels cannot be counted, under any circumstances, before 1 December of the vintage year.

Art. 14.

The indications 'harvest', 'vintage', or other equivalents, shall apply exclusively to wines made from grapes harvested in the year mentioned in the indication and which have not been mixed with wine from other vintages. In order to correct the characteristics of the musts or wines of a given vintage, they may be mixed with those of others, provided that the volume of the must or wine of the vintage to which the indication refers is included in a minimum proportion of 85 per cent.

CHAPTER V.

Wine approval and characteristics. Art.

15.

1. In order to make use of the Rioja name, all wines made in the production area must pass classification process in accordance with the provisions of Council Regulation (EEC) No 823/1987 and Royal Decree 157/1988, of 22 February 1988 (quoted).

2. The classification process shall be carried out by homogeneous batch or lot and must be done by the Control Board, according to the rules it sets out and are approved by the General Directorate of Food Policy of Ministry of Agriculture, Fisheries and Food. These rules will also reflect the procedure to be followed regarding approved batches and downgrading conditions in the production phase.

Art. 16.

1. The types of wines protected by the *Denominación de Origen Calificada Rioja* are: reds, rosés and whites, with a minimum actual alcoholic strength of 11.5% vol. for reds and 10.5% vol. for whites and rosés. Mixing these types of wines to obtain a type of wine which is different to the mixed wines is expressly prohibited.

2. The volatile acidity of the harvest wines, expressed in acetic acid, may not exceed 0.05 grams/litre (0.833 milliequivalents per litre), for each actual degree of alcohol. Wines older than one year may not exceed 1 gram per litre up to 10% vol. and 0.06 grams per litre for each degree of alcohol that exceeds 10% vol.

3. The total sulphur dioxide content must conform to what is stated in article 20.5 of Royal Decree 157/1988.

4. For protected wines to have the right to bear the name of the sub-areas 'Rioja Alta', 'Rioja Baja' and 'Rioja Alavesa', or that of a minor geographical entity included in one of these sub-areas, in addition to having been made in their entirety with grapes collected in the territorial area of the relevant zone or minor geographical entity, must also meet the following analytical requirements:

Sub-areas and types of wines	Minimum actual alcoholic strength (% vol.)
Rioja Alta and Rioja Alavesa	
Red	11.5
White	11.0
Rosé	10.5
Rioja Baja	
Red	12.0
White	11.5
Rosé	11.0

5. The wines with the right to ‘Reserva’ and ‘Gran Reserva’ indications must have a minimum actual alcoholic strength of 12% vol., in the case of red wines, and 11% vol., in the case of whites and rosés.

Art. 17.

1. Certified wines must preserve their characteristic sensory qualities, particularly in terms of colour, aromas and flavours. In the event that any alteration in these characteristics is found, to the detriment of the quality, or that in its vinification or ageing the precepts of these Regulations or those indicated in current laws have been breached, it will be downgraded by the Control Board, which will entail the loss of the right to use the designation. Likewise, any product obtained by mixing with a previously downgraded product will be considered downgraded.

2. The downgrading of the wines may be carried out by the Control Board at any stage of their preparation or ageing, inside the production area and, from the initiation of the downgrading proceedings, they must remain in containers, identified and properly labelled, under the Control Board control. Under no circumstances can the product be transferred to another registered winery.

CHAPTER VI.

Registers.

Art. 18.

1. The following Registers will be kept by the Control Board:

- a) Register of Vineyards.
- b) Register of Winemaking Wineries.
- c) Register of Wine-keeping Wineries.

d) Register of Ageing Wineries.

e) Register of Bottling Wineries.

2. Submissions to registers are to be addressed to the Control Board, together with details, documents and vouchers as required in each case by provisions and regulations in force, in the forms provided by the Control Board.

3. The Control Board will reject any submissions that fail to comply with Regulations or the decisions of the Control Board on complementary technical conditions for vineyards or wineries.

4. Inclusion in these Registers does not exempt stakeholders from the obligation to enrol in such registers as may have been generally set up, particularly with regard to the Register of Agricultural Industries and the Register of Wine Bottlers, as the case may be, evidence of which will be required before inclusion in Control Board Registers is allowed.

Art. 19.

1. All those located in the production area whose grapes can be used for the production of protected wines will be registered in the Register of Vineyards.

2. Registration will include: The name of the owner and, as the case may be, the name of the tenant farmer, sharecropper, leaseholder, holder or any other useful domain owner; the name of the vineyard, area and municipality in which it is located, production surface area, variety or varieties of grapes planted and all such details as may be necessary for its classification and location.

3. The registration application is to be accompanied by a detailed map or drawing to be attached, as determined by the Control Board, to the plots subject to the same, and the plantation authorisation issued by the competent Body.

4. Registration in the Vineyard Register is voluntary, as well as withdrawal from it. Once this has taken place, five calendar years must elapse before the vineyard in question can be re-registered.

Art. 20.

1. All wineries located in the production area in which only grapes or must from registered vineyards are vinified, whose wines produced are eligible for the *Denominación de Origen Calificada Rioja* and meet all Control Board requirements will be included in the Register of Winemaking Wineries.

2. Registration will include: The name of the company, town and location, characteristics, number and capacity of the containers and machinery, vinification system and such details as may be necessary for perfectly identifying and cataloguing of the winery. In the event that the winemaking company is not the owner of the facilities, this shall be recorded, evidencing this circumstance, as well as the identity of the owner.

It will be accompanied by a map or drawing at a convenient scale in which all the details of construction and facilities are reflected.

Art. 21.

All those located in the production area that are exclusively devoted to the storage of wines protected by *Calificada* designation of origin will be included in the Winekeeping Winery Register. Registration will include details mentioned in Article 20.

Art. 12.

1. All those located in the ageing area that are devoted to the ageing of wines entitled to the *Denominación de Origen Calificada Rioja* will be registered in the Register of Ageing Wineries. The registration will include, in addition to the data referred to in article 20, all those specific to this type of cellar, such as the surface area and the number of barrels, among others.

2. The premises or cellars intended for ageing must be free of trepidation, with a constant, cool temperature throughout the year and with suitable humidity and ventilation.

3. The wineries must have a minimum stock of 225 hectolitres, which is in the process of ageing, of which at least half must be contained in a minimum of 50 oak barrels of 225 litres of approximate capacity.

Art. 23.

All those located in the production area that are devoted to the bottling of wines protected by the *Denominación de Origen Calificada Rioja* will be included in the Register of Bottling Wineries. Registration will include data referred to in article 20, the specific data of this type of winery, such as stabilisation and bottling facilities and machinery, as well as its surface area and capacity.

Art. 24.

It is an essential condition for registering a winery or keeping it in the register that all liquid and gas conduits be independent from those of premises (which must be separated by a public roadway) where wines that are not protected by the *Denominación de Origen Calificada Rioja* are made, handled or stored (except for bottled, labelled products in transit storage).

Art. 25.

1. For the validity of registrations in the relevant Registers, it will be essential to comply at all times with the requirements set out in this chapter, and the Control Board must be informed of any variation that affects the data provided in the registration when it occurs.

Consequently, the Control Board may suspend or cancel the registrations when the owners do not comply with such prescriptions.

2. Any modification or extension that occurs in the wineries that upon entry into force of these Regulations are included in any of the Registers shall be subject to the requirements that are set out in this chapter for new registration.

3. The Control Board will carry out periodic inspections to verify the effectiveness of what is provided in this chapter, being empowered to adopt the necessary measures for compliance.

4. All registrations in the different Registers will be renewed in due time and in a manner determined by the Control Board.

CHAPTER VII.

Rights and obligations.

Art. 26

1. Only natural or legal persons who have entered their vineyards or facilities in the registers indicated in article 18 may produce grapes for making wines protected by the *Denominación de Origen Calificada Rioja* or to make or aged wines that are to be protected by it.

2. Only the *Denominación de Origen Calificada Rioja* can be applied to wines from wineries registered in the relevant Registers that have been made according to the standards required by these Regulations, and that meet the winemaking and sensory conditions that should characterise them.

3. The right to use the *Denominación de Origen Calificada Rioja* in advertising, documentation or labels is exclusive of the firms included in the relevant Register. It is mandatory for labels to include the name or corporate name. A trade name may also be used in the manner provided in article 29 bis of the registered firm holder of this right.

4. Given the voluntary nature of inclusion in the relevant Registers, by the mere fact of it, the registered natural or legal persons are obliged to comply with the provisions of these Regulations and the decisions that, within its powers, the Control Board may issue, without prejudice to the provisions of current legal regulations, as well as to satisfy the relevant fees.

5. The use by natural or legal persons in the Registers described in article 20 of the geographical names protected by the *Denominación de Origen Calificada Rioja* will be granted by the Control Board provided that it does not induce to error on the origin of the product.

Art. 27.

1. Grapes, musts or wines without the right to the designation may not be enter nor may there be stocks thereof in the lands occupied by the vineyards registered in the Register of Vineyards and in annexed buildings.

2. Only grapes from registered vineyards and must or wine from registered wineries may be introduced in registered wineries all such registrations being as set out in Article 18.

3. Individuals or legal entities that have registered vineyards or wineries may only have their grapes, musts or wines stored on the land or premises declared in the Register and shall otherwise lose their right to the designation.

4. The Control Board is authorised to allow wineries included in the Registers of the *Denominación de Origen Calificada Rioja* to make musts, sangrías, sparkling wines and vermouths, among others, as long as it does not cause damage to the designation, and such processing represents a secondary activity and in accordance with its relevant regulations, and that the must or wines used have been made with grapes from registered vineyards but have not been submitted for classification or have not exceeded or have been downgraded for any reason , without right, therefore, to the use of the designation.

Art. 28.

The brands, symbols, advertising legends or any type of advertising used for wines protected by the designation governed by these Regulations may not be used under any circumstances, even by the owners themselves, to market other wines or beverages derived from wine, except when the Control Board, at the request of the interested party, understands that the application of these names cannot cause damage to protected wines, in which case it will submit the proposal to the General Directorate of Food Policy.

Art. 29.

1. The name of the Designation and the logo of the Control Board must be prominently displayed on packaged wine labels, in addition to the information that is generally determined in applicable legislation.

2. Before a label can be circulated, it must be authorised by the Control Board for the purposes listed herein. The approval of those labels that, for any reason, may give rise to confusion in the consumer, will be denied. The authorisation of an existing approval may be annulled when the circumstances of the physical or legal person who owns the same referred to in the label have changed, all without prejudice to the powers of the General Directorate of Food Policy of the Ministry of Agriculture, Fisheries and Food of monitoring compliance with general labelling rules.

3. All packaging in which the wines are expedited fro drinking is to be provided with guarantee seals, numbered labels or back labels issued by the Control Board, and always in a form that does not allow for reuse.

There must be correspondence between the back labels, labels and control elements of the Control Board.

4. For ‘Crianza’, ‘Reserva’ and ‘Gran Reserva’ wines, the Control Board will issue specific back labels and authorise the mention of such indications on the label.

5. On the outside of registered wineries, in a prominent place, there will be a plaque identifying this.

6. The trademark is compulsory on labels of wines certified by the *Denominación de Origen Calificada Rioja*, as set out in article 40 of Council Regulation (EEC) 2392/89, of 24 July 1989, which sets the general rules for the designation and presentation of wines and grape must.

Art. 29 bis.

1. Firms included in the Register of Wineries referred to in article 18 herein may use for any batch of wines they may ship their own registered trade names in addition to or in substitution of their name or corporate name such trade names as they may have registered as their property, provided the requirement of notifying the Control Board together with the documentary evidence of such ownership and the express statement of liability for the use of such names in wines protected by the Designation is fulfilled.

2. For the wines protected by the *Denominación de Origen Calificada Rioja*, the option provided for in article 12.4 b) of Council Regulation (EEC) 2392/89, of 24 July 1989, which sets the general rules for the description and presentation of wines and grape must, in relation to the substitution of the name or company name, or, as the case may be, of the trade name, by a code, under the conditions set out therein. Also, and in accordance with the provisions of Article 15 of Commission Regulation (EEC) No 3201/90 of 16 October 1990 laying down detailed rules for the description and presentation of wines and grape musts, in contract bottlings, a code may not substitute the name or corporate name of the bottler, except in cases of provision of the bottling service to registered wineries lacking the appropriate machinery.

Art. 30.

All persons in the Register of Bottling Wineries are obliged to extend a back-labelling or sealing document listing the batches sealed or back-labelled every day.

Art. 31.

1. Any consignment of must, wine or any other grape product or winemaking by-product circulating within the production area, between wineries or registered facilities, must be accompanied by the relevant authorised commercial document or a document that is current at all times, issued by the sender, and a copy of the document sent to the Control Board.

2. The consignment of the products referred to in the preceding paragraph must be authorised by the Control Board in the manner determined by it, prior to its execution, if the consignment is made by an registered winery bound for a non-registered winery, the winery must also request such authorisation from the Control Board.

Art. 32.

1. The bottling of wines protected by the *Denominación de Origen Calificada Rioja* must be carried out exclusively in registered wineries authorised by the Control Board. Otherwise, the wine shall lose the right to use the designation.

2. Wines protected by the *Denominación de Origen Calificada Rioja* can only circulate and be consigned in packaging that does not harm their quality or prestige and it must be approved by the Control Board. The bottles must be of glass and of a capacity authorised by the European Economic Community with the exception of one-litre bottles. Exceptionally, the Control Board may authorise other types of packaging for special uses, which it understands will not harm the quality or prestige of the protected wines after a favourable report from the General Directorate of Food Policy.

Regardless of the provisions of section 3 article 29 herein, the Control Board may establish specific formulas to meet the guarantee and control requirements for wines protected by the *Denominación de Origen Calificada Rioja* in the case of special marketing modalities.

Art. 33.

1. The wine consigned by each registered winery must agree with the quantities of grape purchased, stocks of previous vintages and purchases of wines or musts from other registered companies. Stocks of wine being aged in barrels or bottles can only be consigned when they have fulfilled the requirements set forth in article 13.

Art. 34.

1. In order to control production, vinification, age and stock, as well as the qualities, types and all other aspects as may be necessary to be able to prove the origin and quality of the wines, the natural or legal persons title owners of vineyards and wineries are to submit the following statements:

a) All those registered in the Register of Vineyards will submit, once the harvest is completed, and in any case before 30 November each year, a statement of the grape harvest obtained and, in case of sale, the name of the buyer. If different types of grapes are produced, they must declare the amount obtained of each one.

b) All parties included in the Register of Winemaking Wineries must declare, before 30 November, the quantity of must and wine obtained according to the different types made, indicating the source of the grape and, in the case of sales during the harvest season, the destination of the products, indicating buyer and quantity. As long as they have stocks, they must declare shipments on a monthly basis.

c) All parties included in the Registers of Winekeeping, Ageing and Bottling Wineries are to submit, within the first ten days of each month, a statement of arrivals, shipments and internal movements between the different types of containers during the previous month. This statement will consist of the presentation of photocopies signed by a person authorised by the firm or company name of the wine stocks and movements control records, which must be completed for each type and vintage of wine existing in the cellar according to the models and instructions set out the Control Board. Likewise, they will submit, together with the above statement, the list of certificates of origin used in the previous month in the model set out by the Control Board.

d) All parties included in the various registers of wineries are to submit, within the first ten days of the months of January, April, July and October, the stocks of unused back labels and seals existing in the winery as of 31 December, 31 March, 30 June and 30 September, respectively. For the purpose of monitoring labelling in the previous year, the statement of end-of-year stocks should mention the series and numbering of the existing back labels and seals.

2. Depending on the progress of the harvest season, the Control Board may modify the date of presentation of the statements referred to in sections a) and b) of the previous number.

3. The Control Board will set up appropriate means of control to ensure that only production from registered vineyards enters registered wineries.

CHAPTER VIII.

On the Control Board.

Art. 35.

The Control Board of the *Denominación de Origen Calificada Rioja* is a devolved body of the Ministry of Agriculture, Fisheries and Food with decision-making powers for the functions given to it in the Regulations.

Art. 36.

The scope of jurisdiction of the Control Board, without prejudice to the provisions of Article 38, will be determined:

a) Territorially, by the production and ageing area.

b) With regard to products, by those protected by the Designation of Origin in any of its production, processing, ageing and marketing phases.

c) With regards to persons, by those included in the various Registers.

Art. 37.

1. The tasks of the Control Board are to apply the precepts of these Regulations and its complementary provisions, and to ensure compliance thereof, for which purpose it will exercise the functions entrusted to it in the legal system, as well as those expressly indicated in the articles of these Regulations.

2. Likewise, from its socio-economic role of defence of the interests of the sector, the Control Board will encourage initiatives for establishing interprofessional collective agreements between registered grape growers and winery owners.

Art. 38.

The Control Board is expressly authorised to monitor the movement of grapes, musts and wines not protected by the *Denominación de Origen Calificada Rioja* that are produced, stored, bottled, marketed or transported within the production area, giving an account of the incidents of this service to the competent Public Administration and sending copies of the reports that may arise, without prejudice to the intervention of the competent agencies in this surveillance.

Art. 39.

1. The Control Board, after appointment by the Ministry of Agriculture, Fisheries and Food will be constituted by the members of the board of directors of the Rioja Wine Interprofessional Organization.

2. The members of the Control Board will have the same representation and the same number of votes as those they have on the board of directors of the interprofessional organisation.

3. The process for substitutions and replacements is that set out for the members of the board of directors of the interprofessional organisation in its Articles.

4. The president of the Control Board shall be the chair of the board of directors of the interprofessional organisation which, according to its Articles, may be a member of the board or a person external to it.

5. The renewal of the members of the Control Board and the accreditation of the representativeness of the votes in the Control Board will take place automatically, as they are those of the board of directors of the Interprofessional Organisation.

6. The Ministry of Agriculture, Fisheries and Food and each of the Administrations of La Rioja, Basque Country and Navarre, may appoint a representative, who will attend and participate in plenary meetings with voice but without vote.

Art. 48.

1. The Control Board has, in addition to the functions set forth in the provisions of a general nature which apply to it, and those attributed in these Regulations, the following responsibilities:

a) Complying with and enforcing the Regulations, proposing to that effect such internal provisions as may be necessary and ordering the execution of its decisions.

b) Regulating and managing the activity of the Control Board.

c) Organising the internal regime of the Control Board.

d) Organising and directing services.

e) Managing the revenues and funds of the Control Board and order payments.

f) Hiring, suspending or renewing its staff.

g) Reporting to the public administration about incidents may that occur in production and the market.

h) Sending to stakeholder entities those general compliance decisions agreed by the Control Board, pursuant to the responsibilities conferred by these Regulations, and those whose importance it considers warrants they be known.

2. The functions of sections b) to h) of the previous number may be delegated to the Standing Committee set forth in the following point or in the person or position determined by the Plenary.

3. To resolve procedural issues, or in those cases deemed necessary, a Standing Committee may be set up consisting of the Chairman and the number of regular members agreed upon by the Control Board Plenary, appointed by it, and which jointly represent each sector.

In the session in which the constitution of said Standing Committee is agreed, the specific missions that fall upon it and the functions that it will exercise will also be agreed upon.

All decisions adopted by the Standing Committee will be communicated to the Plenary of the Board, which will ratify them, if applicable, at the first meeting it holds. The implementation of decisions may be entrusted to the persons or positions determined by the Plenary.

4. The Control Board Plenary may set up such Work Commissions as it deems pertinent, to deal with specific matters.

Art. 41.

The President of the Control Board has the following functions:

- a) Legally representing of the Control Board before any public or private entity, Administrations, Organisms, judicial and mediation instances. This representation may be expressly delegated with agreement of the Plenary.
- b) Chairing sessions and moderating the development of the debates, ordering the deliberations and voting.
- c) Ensuring compliance with the law.
- d) Signing off minutes and certifications of decisions.
- e) Exercising any function specifically assigned by Law, Regulations or the Plenary.

Art. 42.

1. The Control Board is to meet at least once every two months and whenever deemed necessary by the President or upon request of its members with the support of at least 15% of the votes.
2. The sessions of the Control Board will be convened by the President, by means of a written document that will contain the order of the day of the meeting, with an advance of fifteen calendar days to its celebration, except in cases of urgency, in which this period will be reduced to forty-eight hours.
3. When the initiative of the call comes from the owners of at least 15 per cent of the votes, the matters included in the request along with those proposed by the Presidency shall be included in the agenda, and the meeting shall be held within the ten calendar days following receipt of the request by the Presidency.
4. Meetings may not discuss or make decisions that are not included in the agenda, unless all the members of the Plenary Meeting are present and the matter to be dealt with by all the members that comprise it is declared urgent.
5. In case of justified absence of the full members of the Plenary, except for the President, the Association to which he/she belongs will notify the Control Board of the name of his/her substitute and at least 24 hours before the meeting date.
6. For the valid constitution of the Control Board Plenary the presence of the President and the Secretary is required, being able to be replaced, respectively, by the position or person assigned to the Control Board that is previously determined. Likewise, in the first call, the owners of 90% of the votes of each of the two sectors must attend the meeting in person or represented; and in second call, the owners of 50% of the votes of each sector.

Control Board Plenary decisions require a minimum of 75% of votes present or represented and at least 50% of the votes of each professional sector. The president does not have a casting vote.

Art. 43.

1. For the fulfilment of its purposes, the Control Board will have the necessary personnel in accordance with the templates approved by the Plenary, which will be included in the Board's own budget.

2. The Board shall have a secretary appointed by the Board itself at the proposal of the president, on whom it shall directly depend, and whose specific duties shall be the following:

- a) Preparing the work of the Board and process the implementation of its decisions.
- b) Attending sessions with voice but without vote, to take the calls, to take the minutes and to keep the books and documents of the Board.
- c) Dealing with matters relating to the internal regime of the entity, regarding both staff and administration, exercising the immediate leadership over the staff.
- d) Such functions as may be entrusted by the President related to the preparation and implementation of matters within the competence of the Board.
- e) Acting as an Examiner in disciplinary proceedings.

3. For the technical functions entrusted to it, the Board will have the necessary Technical Services, to be managed by a competent technician appointed by the Board at the proposal of the president.

4. For control and surveillance services, it will have its own Overseers within the Technical Services. These Overseers will be appointed by the Control Board and authorised by the General Directorate of Food Policy, with the following inspection powers:

- a) Vineyards located in the production area.
- b) Wineries and bottling plants in the production and ageing area.
- c) Grapes and wines in the production area.
- d) Wines protected in the national territory in cooperation with the relevant authorities, giving an account of their actions.

5. The Control Board will have a lawyer who will be in charge of the Legal Department of the Organisation and of all other functions entrusted to him.

6. The Control Board may hire personnel for special or specific work of a temporary nature, provided that a budget is made available for that concept.

7. All Control Board staff, whether fixed or temporary, will be subject to labour legislation.

Art. 44.

1. The funding of the Board's obligations will be carried out with the following resources:

1. With the proceeds of parafiscal levies, which are set in Article 90 of Act 25/1970, of 2 December 1970, to which the following rates shall apply:

a) 1 per cent for levies on plantations.

b) 1.5 per cent for levies on protected products.

c) For the issue of certificates, it will be set in each case by the relevant regulations, and double the cost price for seals or back labels.

The previous tax rates may be varied by the General Directorate of Food Policy, within the limits set by the aforementioned article of Act 25/1970, and proposed by the Control Board, when budgetary circumstances so require.

The taxpayers of each of the levies are: for letter a), the owners of the registered plantations; for b), owners of registered wineries that consigned wine to the market, and for c) owners of registered wineries requesting certificates or purchasers of prices or back labels.

2. Grants, bequests and donations.

3. The amounts that may be collected as compensation for damages caused to the Board or the interests it represents.

4. Its assets and their products and revenues.

2. The management of the revenues and expenses that appear in the budgets is carried out by the Control Board.

Art. 45.

1. The decisions of the Control Board that are not specific and affect a plurality of subjects, will be notified by means of circulars that will be exhibited in the offices of the Board and will be sent to the Agricultural Offices of the Town Councils of the municipalities included within the production area and the legally constituted organisations of the sector. The exhibition of the circulars or the announcement thereof will be published in the Official Gazettes of the Historical Territory of Álava, the Statutory Community of Navarre and the Autonomous Community of La Rioja.

2. The decisions and settlements adopted by the Control Board Plenary shall be appealable to the General Directorate of Food Policy of the Ministry of Agriculture, Fisheries and Food.

CHAPTER IX.

On violations, fines and procedures. Art. 46.

All actions that need to be implemented in terms of disciplinary proceedings will be adjusted to the rules of these Regulations, to those of Act 25/1970 (quoted), and Decree 835/1972 (quoted), to the current Administrative Procedure Law (R. 1958, 1258, 1469, 1504, R. 1959, 585 and N. Dicc. 24708), and those of Royal Decree 1945/1983, of 22 June 1983 (R. 1983, 1513, 1803, 2247, 2343 and Ap 1975-85, 11245).

Art. 47.

1. Infringements to the provisions of these Regulations and the agreements of the Control Board will be sanctioned with a warning, fine, confiscation of merchandise, temporary suspension of the use of the designation or their de-registration, as expressed in the following articles, without prejudice to the penalties that may be imposed for contravening the general laws on the subject of Act 25/1970, of 2 December 1970.

2. The basis for the imposition of fines will be determined:

a) When they are to be imposed according to the number of hectares, multiplying the average annual production per hectare in the previous five years in the area where they are located by the average price reached in the same area during the year prior to the infringement.

b) When they are to be imposed according to the value of the goods or merchandise, according to the average price in the month in which the infringement was committed if it could determine the date, and otherwise, in the month in which it is discovered, and always referred to the place where the offence is committed.

3. When the production figures, prices or inventories are not proven in the proceedings, those that result in a general way for the designation or for the sub-area or municipality in question, data of a general nature or by direct estimation may be applied.

Art. 48.

Violations committed by the persons registered in the Designation of Origin Registers to these Regulations and the Control Board agreements are classified as follows:

- a) Administrative offences.
- b) Violations to the rules of production and vinification of the protected products.
- c) Improper use of the designation or actions that may cause damage or loss of prestige.
- d) Obstructing control or inspection tasks of the Control Board or its authorised agents, in accordance with the provisions of article 5-2 of Royal Decree 1945/1983 (quoted).

Art. 49.

1. The following inaccuracies in the declarations, authorised commercial documents, entries, books-registers, control cards and other documents are considered administrative errors:

1. Inaccuracies or omissions in the declarations for the inscription in the different registers of the data and vouchers that, in each case, are required, provided that they are not determinant for the inscription.
2. Failure to notify the Control Board of any variation that affects the data provided at the time of inclusion in the Registers, within a period of one month from the date of said variation.
3. Non-compliance due to omission or inaccuracy of what is set out in the Regulations and in the decisions of the Control Board regarding harvest affidavits, processing, stocking, and ageing of wines.

4. The breach of the precept of presentation of the copy of the commercial document authorised before the Control Board that sets out article 31, as well as the consignment of products without being accompanied of the previous authorisation of transfer from the Control Board.

5. An absence of Register Books, control cards or any other documents that are mandatory according to these Regulations.

6. The remaining violations to the Regulation or to the agreements of the Control Board in the matter to which this article refers.

2. Administrative offences will be sanctioned with a warning, or with a fine of 1 to 10 per cent of the base for each hectare in the case of vineyards or the value of the affected goods.

Art. 50.

1. The following are violations of the rules on production and vinification of protected products:

1. Failure to comply with the rules on growing practices.

2. Issuing or using for vinification of protected grape, must or wine products with yields higher than those authorised or downgraded.

3. Using in the vinification of protected wines grape varieties other than those authorised, or grapes of authorised varieties in different proportions from those established.

4. Failure to comply with the standards for winemaking and ageing. 5.

Providing false information or documentation.

6. The remaining violations to the Regulation or to the agreements of the Control Board in the matter referred to in this article.

2. These violations will be sanctioned with a fine of 2 to 20 per cent of the base for each hectare in the case of vineyards, or the value of the affected goods and, in the latter case, may be applied in addition to confiscation.

Art. 51.

1. The following are violations due to improper use of the designation or actions that may cause damage or discredit:

1. The use of trade names, trademarks, symbols or emblems that refer to the name or names protected by it, in the marketing of other unprotected wines or other products of a similar kind, as well as infringements of Article 28.
2. The use of the designation in wines that have not been vinified, produced or aged according to the rules set out by current law and by these Regulations, or that do not meet the oenological and organoleptic conditions that should characterise them.
3. The use of trade names, brands or labels not approved by the Control Board, in the cases referred to in this article.
4. Only grapes from registered vineyards and must or wine from registered wineries may be introduced in registered wineries.
5. The use of unauthorised tanks and premises and/or the use of said premises or tanks for other products not protected by the designation, unless expressly authorised by the Control Board and except for bottled and labelled products in storage in transit.
6. The undue possession, negotiation or use of documents, seals, labels, back labels, stamps, etc., of the designation.
7. The existence of grapes, musts or wines in the registered winery without the mandatory documentation that protects their origin as a product protected by the designation, or the existence in the winery of documentation that certifies stocks of grapes, musts or wines protected by the designation without the presence of these products. Inventories of wine in the cellar must coincide with those declared in documentary form, although for the purposes of this article, the Control Board will not understand this violation as committed when the differences do not surpass these by plus or minus 1%.
8. An unjustified decrease of the minimum stocks in Ageing Wineries referred to in article 22.
9. The consignment of wines that do not match the quality characteristics mentioned in their means of commercialisation.
10. Protected wines can only circulate and be consigned in packaging that is approved by the Control Board.
11. The issue, circulation or sale of wines of the designation devoid of the seals, seals, labels or numbered back labels or lacking the means of control set out by the Control Board.
12. Bottling, sealing or back-labelling of containers in premises other than the registered wineries authorised by the Control Board or not sealing according to Control Board instructions.

13. Failure to comply with the provisions of these Regulations or the decisions of the Control Board regarding packaging, documentation, sealing and transfer of wines for export.

14. Any action that implies the breach of the principle of separation of wineries set out in article 24.

15. Falsifying or omitting in the statements for the inscription in the different Registers such data and vouchers as are required in each case, as long as they are determining for registration.

16. The manipulation, transfer or disposal in any form of goods seized by the Control Board.

17. In general, any act that contravenes the provisions of these Regulations or the decisions of the Control Board and that harms or discredits the designation or implies an improper use thereof.

2. These violations will be sanctioned with a fine of 20,000 pesetas at double the value of the merchandise or products affected, when that exceeds said amount and with its confiscation.

Art. 52.

1. The following are violations due to obstruction of Control Board inspection or control tasks:

1. The refusal or resistance to supply the data, facilitate the information or allow access to the documentation required by the Control Board or its Supervisors, in order to fulfil the functions of information, surveillance, investigation, inspection, processing and execution, in the matters referred to in these Regulations, or unjustified delays in the provision of such data, information or documentation.

2. The refusal to the entry or permanence of the Overseers in the vineyards, wineries and other registered facilities and their annexes.

3. The resistance, coercion, threat, reprisal or any other form of pressure to the Control Board Overseers, as well as the attempt to exercise such acts.

2. These violations will be sanctioned in accordance with the provisions of Royal Decree 1945/1983, of 22 June 1983.

Art. 53.

For the application of the sanctions foreseen in the previous articles, the following rules will be taken into account:

1. They will be applied at their minimum level:

a) In the case of simple irregularities in the observance of the regulations, without direct implications for consumers or that do not imply a special benefit for the offender.

b) When the defects are corrected within the term indicated for it by the Control Board.

c) When it is proven that there has been no bad faith.

2. They will be applied at their medium level:

a) When there is a repetition in the refusal to provide information, provide collaboration or allow access to the documentation required by these Regulations or by the decisions of the Control Board.

b) When the violation has direct implications on the consumers or implies a special benefit for the offender.

c) When the defects are not corrected within the term indicated by the Control Board.

d) When the infringement is caused by a negligent act, with non-compliance with the rules of action expressly agreed by the Control Board.

e) In all other cases where the application of minimum or maximum levels does not apply.

3. They will be applied at their maximum level:

a) When there is proof of manifest bad faith.

b) When the violation results in serious damage to the designation, its registered stakeholders or consumers.

c) When there has been obstruction to the Board Overseers in the investigation of the violation.

4. In cases of violations typified in section 5 of article 50.1, in sections 1, 2, 4, 11, 12.1, 14, 15 and 16 of article 51.1., in sections 1.1, 2 and 3 of article 52.1, the temporary suspension of the use of the designation may be applied or withdrawal from the Registers.

The suspension of the right to use the designation will entail the suspension of the right to certificates of origin, seals, back labels and other documents of the Control Board. The removal will result in the exclusion of the offender in the Board Registers and, as a consequence, the loss of the rights inherent in the designation.

Art. 54.

There is reoffence when the offender has been sanctioned by a final decision for a violation of those included in these Regulations, during the previous five years.

In the case of reoffence, the fines shall be 50% higher than those indicated in these Regulations.

If the reoffender commits a new offence, the fines may be raised up to three times.

The Control Board will publish the definitive removals by
sanction. Art. 55.

1. The procedure may be initiated by virtue of the minutes drawn up by the Overseers, by communication from an authority or administrative body or by a complaint made by the individuals about any action or conduct that may constitute an violation.

2. The inspection records shall be drawn up in triplicate and shall be signed by the Overseer and the owner or representative of the vineyard, establishment or warehouse or in charge of the custody of the merchandise, who will keep a copy of the report. Both signatories will be able to set down such details or statements as they consider convenient for the estimation of the facts that are consigned therein, as well as of all incidents that occur in the process of inspecting or reporting. The circumstances that the Overseer consigns in the report will be considered proven facts, unless the other party proves otherwise. If the interested party in the inspection refuses to sign the report, the Overseer will state this, seeking the signature of a law enforcement officer or witnesses.

3. In the event that it is deemed convenient by the Overseer or by the owner of the goods or by its representative, samples of the product object of inspection shall be taken. Each sample will be taken, at least, in triplicate and in sufficient quantity for its examination and analysis and will be sealed and labelled, leaving one in the possession of the owner or representative cited.

4. When the Overseer who files the minutes deems it necessary, he/she may order that the goods, labels, back labels or other items be retained until the pertinent Order is provided by the Examiner of the proceedings within the term of forty-five working days from the date of removal of the inspection report. The retained goods will be considered as goods in deposit, they can therefore not be transferred, manipulated, offered for sale or sold. In the case that it is considered appropriate, they may be sealed.

5. In accordance with articles 27 and 28 of the Administrative Procedure Act (quoted), the Control Board may request reports to the persons it deems necessary or make them appear for this purpose in the offices where the proceedings are processed, to clarify or supplement the extremes contained in the minutes drawn up by the Overseers and as diligence prior to the possible initiation of the proceedings.

Art. 56.

In accordance with the provisions of section 1 of article 129 of Decree 835/1972 (quoted), a fine of 20,000 pesetas at twice the value of the goods will be applied when it exceeds that amount and with its confiscation, when use is made of the designation or any action that causes damage or loss of prestige to the *Denominación de Origen Calificada Rioja* or tends to produce confusion in the consumer with respect to it, by persons not registered in the Control Board Registers.

Art. 57.

1. The initiation and instruction of the disciplinary proceedings shall fall upon the Control Board when the offender is in one of its Registers.

2. In all other cases, the Board will inform the General Directorate of Food Policy of the Ministry of Agriculture, Fisheries and Food or the Ministries or Departments of Agriculture of the Autonomous Communities of La Rioja, the Basque Country or Navarre, as the case may be.

3. In the sanctioning proceedings initiated by the Control Board, the secretary will act as Examiner, and the attorney as Secretary of the proceedings. In cases of force majeure, a person at the service of the Board may act as Examiner or Secretary.

4. The settlement of the proceedings referred to in the first section of this article will fall upon the Board itself when the sanction does not exceed 500,000 pesetas. If it exceeds it, the proposal will be submitted to the General Directorate of Food.

5. In order to determine the jurisdiction referred to in the previous section, the value of the seizure will be added to that of the fine. Art. 58. The firm or company whose name appears on the label will be liable for the violations on packaged products. On those that have been produced in bulk products, the holder thereof and those arising from the transport of goods shall be the responsibility of the persons determined in this regard by the current Commercial Code and complementary provisions. Art. 59. The confiscation of the merchandise may be applied as a single sanction or as accessory, if applicable, or the payment of the amount of its value in the event that the seizure is not feasible. Art. 60. In all cases in which the settlement of the proceedings is sanctioned, the offender must pay the expenses originated by the taking and analysis of samples or by the recognition that had been made and other expenses that may arise from the processing and settlement of the proceedings.

Art. 58

The firm or company whose name appears on the label will be liable for the violations on packaged products. On those that have been produced in bulk products, the holder thereof and those arising from the transport of goods shall be the responsibility of the persons determined in this regard by the current Commercial Code and complementary provisions.

Art. 59

The confiscation of the merchandise may be applied as a single sanction or as accessory, if applicable, or the payment of the amount of its value in the event that the seizure is not feasible.

Art. 60

1. In all cases in which the settlement of the proceedings is sanctioned, the offender must pay the expenses originated by the taking and analysis of samples or by the recognition that had been made and other expenses that may arise from the processing and settlement of the proceedings.

2. Fines must be paid within a period of fifteen business days immediately following notification, as well as the expenses referred to in the previous section. If not done within the aforementioned period, it will be collected by final demand.

3. In the case of appeals against the sanction imposed, a guarantee shall be submitted to the Control Board, granted by an official or private Bank, registered in the General Register of Banks and Bankers, authorised by officers of the guarantor that have sufficient binding authority.

4. Offences to these Regulations prescribe after five years of its commission, so all the documentation that is determined in it, with respect to the products to which it refers, must be retained during that period.

Art. 61

1. When the violation that is to be sanctioned constitutes, in addition, a contravention to the Statute on Vines, Wines and Alcohols, the relevant information will be provided to the General Directorate of Food Policy or other competent entity.

2. In cases where the infringement concerns the use of the *Denominación de Origen Calificada* and this implies a false indication of origin, the Control Board, without prejudice to relevant administrative actions and sanctions, may turn to the courts of justice, exercising civil and criminal actions recognised by the laws on industrial property.

INTERIM PROVISIONS.

1. The provisions of Article 32.1 of these Regulations shall not be an obstacle to the application to wines protected by the *Denominación de Origen Calificada Rioja* of the object of regulation of the Third Interim Provision of Royal Decree 157/1988, of 22 February 1988.

2. The provisions of the fourth interim provision of the Rioja Designation of Origin Regulations, approved by Order of 2 June 1976 (R. 1976, 1655, 1852, 1942 and App. 1975-85, 14049) will continue to apply.

3. The vineyards of the municipality of Lodosa, located on the right bank of the Ebro, which upon entry into force of these Regulations are registered in the Register of Vineyards, pursuant to the last paragraph of section 2 of Article 4 of the Regulations of the Rioja Designation of Origin approved by Order of 2 June 1976 will keep their registration as long as they subsist.

FINAL PROVISION

The General Directorate of Food Policy is empowered to provide the rules for the implementation of these Regulations, as well as the transitional measures for passing from the regime of *denominación de origen* to that of *Denominación de Origen Calificada*.