



**DEPRESSED YIELDS AND LOW PRICES SHOCK GROWERS**

After enduring successive years of depressed prices growers were confident that 2013 may signal a turning point in the industry. 2012 saw a reduction in the amount of fruit purchased due to the late harvest floods and rain and there was muted promises by many wineries that the prices in 2013 would not move down further.

Unfortunately for many of the regions growers the Riverina will again suffer lower than average inland region prices. As prices in the Riverland and Murray Valley rise to the market it seems once again that this region is suffering from market failure that growers sorely need addressed.

This season the Board took the step of writing to all growers advising them that it was in their best interests to communicate directly with their winery their financial concerns. Some wineries have heeded these concerns but many have done nothing which is disappointing.

What is becoming evident is the big divide between wineries in the region, some continue to pay fair and reasonable prices but others are offering well below the cost of production.

Yields this season are being reported as very patchy with reports of below 5 tonnes per acre not uncommon.

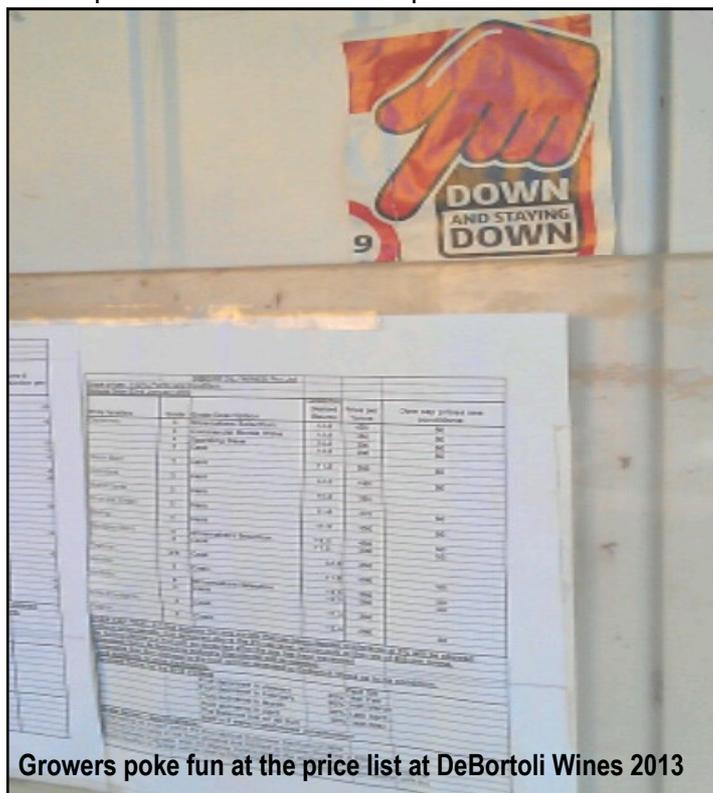
High yielding growers may look to break even this year but the Wine Grapes Marketing Board fears that this season will be the last for more growers due to rising debt levels.

At the time of writing the Board is hearing of some wineries moving prices up as the yields continue to come in lower than expected.

The Board is also seeking copies of current price lists to assist growers negotiations with wineries. It is disappointing that many wineries in the region continue to take winegrapes without the grower knowing the actual price that will be paid.

The Board continues to seek and create opportunities to raise these matters with the office of the Small Business Commissioner and the Ministers office. Such concerns would not be a problem if the National Wine Industry Code of Conduct were adopted by the regions wineries. The general reluctance by wineries to sign onto the voluntary code will mean that the national industry will in the future be left with no choice other to move down the path of a mandatory code that is regulated by the ACCC. Sadly until this occurs growers will continue to be subjected to what many describe as poor ethical treatment.

Many growers have reported that they are not aware of another industry where suppliers are treated so poorly. Until all wineries are operating in the same business manner things are not likely to improve.



Growers poke fun at the price list at DeBortoli Wines 2013

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## CALLING FOR NOMINATIONS - ELECTIONS TO BE HELD SOON

All growers listed by the Board as the nominated voter for their business would have received from the NSW Electoral Commission details about the forthcoming Wine Grapes Marketing Board elections.

The Board has 5 positions that are elected positions and it is important that growers that are eligible to vote exercise your rights to vote.

The current elected Board members are:

Bruno Brombal, Robert Bellato, Tony Baggio and Lou Dal Nevo. The fifth position is currently vacant due to the unfortunate death of Len Gullotta of Leeton.

The Board is encouraging interested growers to consider nominating for a position on the Board. All voters would have received the necessary nomination forms in the mail and the staff at the Board office can provide any guidance you may need to complete the documents should you consider standing.

The Board holds regular monthly meetings (generally the second Monday of each month). There are also general public meetings and the occasional special meeting. Board members should also be available to attend the quarterly local association meetings held in Yenda and Hanwood.

All positions receive an annual payment (which is paid monthly). General Board members receive \$4,000, the Deputy Chair receives \$10,000 which the Chair receives \$20,000. These payments are not indexed and have remained the same for approximately 10 years.

Support and training (in being a director) once appointed would be provided to all persons newly elected to the Board.

For further information growers may wish to seek in relation to the activities of the Board they could speak to one of the existing members or speak to the Chief Executive Officer of the Board, Brian Simpson.

## BOARD ACTIVITIES REPORT



The Board received notification from the Minister of Primary Industries office that the Minister could attend a meeting in our region during vintage. The Board has requested a post vintage date for this meeting to ensure grower representatives are able to attend and the issues of this season are in mind.

- The Board's mapping service is currently being upgraded with the satellite imagery being updated. Once the new images are imported into the program growers will be able to review their farm details for any changes that have occurred since 2008.
- The Board's Industry Development Officer Kristy Bartrop graduated from the industry Future Leaders Program. Kristy is now looking forward to putting her new skills to work for growers benefit.
- The IDO is currently collating the research and extension suggestions of growers to develop a new 5 year plan for funding under the GWRDC Grassroots program.
- The Small Business Commissioners Office has been liaising with the Board in an attempt to review the business operations that are claiming the WET Rebate. To hold a licence within NSW the applicant must be a winery, related corporation or a winegrape producer. The Board understands many do not fit

neatly into these categories which is distorting the industry.

- In Dec. 2012 the Board raised concerns with Westend Estate regarding its intake policy relating to overloaded deliveries of winegrapes. The winery has reviewed and amended this.
- The NSW DPI review of advisory/extension services has resulted in the department seeking input from industry as to what extension services are needed in the region for the next 3 years. The Board prepared a response and submitted this within the short timeframe provided.
- The winegrape index for 2013 has been very active this season with many growers tonnes listed being provided to interested wineries. Due to technical issues the index did not appear on our website this season but has still had a strong response locally as wineries seek extra fruit.
- The Board wrote to all growers urging them to raise their pricing concerns with local wineries in light of lower than expected yields in 2013. The Board is also seeking copies of all winery price lists.
- The Board arranged for the Roads and Maritime Services to hold a regional seminar on the transport of grapes and the chain of responsibility. Around 40 growers and winery representatives attended the seminar.

## ROADS MARITIME SERVICES SEMINAR

The Roads and Maritime Services (RMS) are seeking to ensure that the industry in this region abides by the road rules and regulations. This will ensure that road safety is paramount at all times. Growers should remain fully aware of their rights and obligations as they relate to the Chain of Responsibility legislation that has been in operation since 2005.

The RMS in 2012 undertook an audit of one of the regions wineries deliveries and dispatches to determine if there was any incidences of overloading. As a result of the audit in June 2012 a number of registered owners of trucks received notifications from the RMS that they had delivered overloaded deliveries throughout the vintage. These persons were required by law to provide information to the RMS in relation to the persons involved in the Chain of Responsibility, these being the grower, truck loader, driver and winery the delivery was being made to.

The Board understands that penalties are being applied to severe breaches of the Gross Mass Limits.

In an attempt to educate our region fully of the obligations the Board contacted the local RMS office to arrange an information seminar. The RMS Compliance and Enforcement Branch in Sydney became involved and the seminar held 31st January 2013 at the Griffith Exies was arranged.

Mr Paul Endycott Acting General Manager of the Compliance and Enforcement Branch and Mr Mark Leech Industry Education Officer - Freight Branch provided the industry attendees with a sound understanding of their roles and obligations.

They were available to answer questions in relation to the RMS application of the law.

While the Board understands that paddock loading does not provide growers and freight operators with confidence that the load will be the exact weight each time the industry needs to move closer toward an under-loading policy to ensure compliance is achieved. It was noted that the RMS field staff will only provide truck operators with an allowance of 2.99% when using roadside scales. This allowance is not legislated and is not guaranteed.

The Board would like the entire industry to move toward the same intake policy so that growers know where they stand at each winery as the current ad-hoc system of each individual winery undertaking their own policy based on legal advice can cause confusion.

Discussions were also held around the wineries ability to send an overloaded (in breach) vehicle back onto the road without unloading the truck. The RMS's advice was that if the winery receipted the overloaded truck it would become a participant in the Chain of Responsibility and while internal measures to counter this occurring frequently may be in place they could still be technically charged with an offence. If they did not accept the delivery they would not become part of the chain.

Growers are urged to ensure that trucks leaving their properties are loaded legally and take reasonable steps to reduce this occurring. The RMS talked about the reasonable steps defence that is written into the legislation. The RMS also advised of their concerns with delivery timing and urged that wineries remain

aware of fatigue issues within the industry.

The meeting also discussed the need to ensure secure loads. As many in the industry know covering a load of grapes is a difficult proposition. As an industry we need to ensure that we have no incidence of grape spillage. If grapes are being spilled our industry will suffer set backs in terms of the costs to transport product to the winery along with the clean-up costs that in past years have been greater than \$10,000 for the local council.



Grower and Winery representatives at the 31st January 2013 RMS Seminar

## OZ WINE PRODUCTION TO REMAIN IN DECLINE

**The decline in Australian wine production is tipped to continue over the next five years but the industry could eventually be more sustainable and profitable as a result.**

A new report released in London forecasts Australian production will be down 14.7 per cent over the next five years compared with the previous five.

At the same time world-wide production will decline just 2.3 per cent, according to an International Wine and Spirit Research (IWSR) study commissioned by Vinexpo.

The only top 10 wine-producing country expected to take a bigger hit than sixth-ranked Australia is Italy which is tipped to decline by 16.1 per cent.

Italy is number two on the table behind France and ahead of Spain.

"Australia for two decades has showed incredible growth around the world but is plateauing now and there's an adjustment on the production side which is totally normal," Vinexpo chairman Xavier de Eizaguirre told AAP on Monday.

"It doesn't mean Australia is in trouble in terms of exporting, it just means there's a correction after years and years of spectacular growth."

The IWSR study doesn't include export forecasts but does reveal that between 2007 and 2011 Australian exports declined 13.3 per cent from 89 to 77 million cases.

In the top 10 only Germany and Portugal fared worse.

But in monetary terms the value of Aussie wine exports fell 20.9 per cent to \$US1.96 billion (\$A1.89 billion). Germany also experienced a fall, but of just 5.1%.

Part of the problem for Aussie exporters is that drinkers in their largest market, the United Kingdom, are increasingly experimenting with Italian and Spanish wines as bars and restaurants from those countries proliferate.

Nevertheless, Mr de Eizaguirre insists the picture is actually positive for the Australian industry.

Local wine makers will move to more specialised or boutique labels which will eventually lead to a more sustainable and profitable sector, he said.

"It will take a while for the Australian industry to adjust to the new trends but it will translate into less volume, better qualities and higher prices."

The Vinexpo chairman said the fact New Zealand wines were going "through the roof" proved the market was ready for more premium wines despite Europe facing an "unprecedented" economic crisis.

The IWSR study reveals Chinese consumption of imported still wines grew by more than 550 per cent in the five years to 2011 by volume and it's forecast to expand a further 62.7 per cent by 2016.

Mr de Eizaguirre says Australia should be doing more to push aggressively into the region.

"They are already working hard in the Chinese market," he said. (But) it will increase definitely in the next five years."

**Source:** <http://finance.ninemsn.com.au/newsbusiness/aap/8605488/oz-wine-production-to-remain-in-decline>

**Editors Note:** *The adjustment referred to means vine removals. In the US (last decade) when they undertook adjustments approx. 100,000 acres of vines were removed. Many of these producers moved into the production of nuts.*

## CASKS LOSING OUT TO CHEAPER BOTTLED WINE

A South Australian winery says falling demand for cask wine will have a negative impact on the local industry.

Accolade is shutting its packaging factory at Buronga in south-west New South Wales because demand for cask wine is lower.

Kingston Estate Wines at Kingston-on-Murray in the SA Riverland said the imminent closure showed the great pressure on the wine industry.

Kingston managing director Bill Moularadellis said a shift away from boxed wine was due to cheaper bottled wine. "That's largely due to a shift in consumer tastes

and also the availability of the lower-priced bottled wine particularly with the major retailers and so people are making the value shift between cask wine and bottled wine as well," he said.

"The Australian industry has been very competitive in the last few years and, effectively, wine prices have reduced. "There's been a lot more retail pressure and competition and so the average price of wine at the lower end in bottle format is becoming less expensive compared to cask wine."

**Source:** <http://www.abc.net.au/news/2013-02-06/casks-losing-out-to-cheaper-bottled-wine/4503476?section=sa>

## WGMB FUNDING YIELDING POSITIVE RESULTS

In 2011 the Wine Grapes Marketing Board was approached by WGGGA seeking funding to assist in negotiating wine market access due to potential residues of Phos Acid in wine preventing access to key markets China and Canada. The Board could see the investment value to growers as a breakthrough would represent in terms of lower spray costs potentially hundreds of thousands of dollars. The Board provided \$30,000 to be applied to the negotiations that are still ongoing. The following information relates to a research study into Phos Acid that will assist the negotiations.

Disease pressures in vintage 2011 highlighted the urgency to resolve issues around acceptable maximum residue limits for Phosphorous Acid (PA) in Australian wine. This urgency derived from the fact that in two of Australia's key markets, Canada and China, MRLs for PA didn't exist and, by international convention, this meant the acceptable level defaults to zero in these markets. While in Australia, the acceptable level is 50 mg/kg in grapes, it is double this in the EU, at 100 mg/kg, and completely exempt in the US. The inability of most wineries to stream incoming fruit into wine batches destined for these markets versus the rest (critically Canada/China), meant that any levels of PA in fruit meant rejection. In turn, this meant that PA use was severely constrained. The significance of this for growers is that half the number of registered curative and control options for downy mildew (representing at the same time low cost and highly effective options) were eliminated.

The glaring research requirement was to understand the dynamics of PA application in the vineyard as they relate to residues in grapes and wine. With GWRDC funding, the AWRI responded to the opportunity that 2011 presented to research these dynamics. The AWRI mounted a study to collect grapes from different regions in SA, NSW and Victoria, to analyse the PA levels in the grapes and the wine that was then made from these grapes. The study aimed to understand the effects of multiple applications and the timing of these applications on grape and wine PA levels as well as the carryover rates from one season to the next and from grape to wine.

While the key constraint on the use of PA continues to be the absence of MRLs in key markets for Australia, namely Canada and China, the negotiation of these remains paramount. Success in WGGGA's involvement

in such negotiations has been reported previously with Canada instituting temporary MRLs at Australia's permissible level, of 50 mg/kg, until such time as a permanent MRL is determined by Health Canada, and a promising start made to negotiations with Chinese authorities. The AWRI research assists the negotiators to understand some of the parameters they negotiate.

It should be noted that the AWRI research was a preliminary investigation that took advantage of the extraordinary conditions of the 2011 season to collect data on PA applications. As a preliminary study, the findings will not be reported in scientific papers. Nevertheless, the findings provide some important clues to vineyard managers on PA applications and with the AWRI's kind permission it is worth reporting some key take-outs.

The key take-outs for vineyard managers include –

- The study found a strong relationship between PA levels in grapes and the period between the last application and harvesting – with shorter periods meaning higher levels. Periods of 30 days and less since spraying were the most significant for higher PA levels.
- There was a positive relationship between the number of applications and the concentration of PA in grapes. Notably, three or more applications with a short withholding period (less than 30 days) could attain Australia's limit for PA in grapes.
- Combining the findings for the number and timing of sprays leads to the rule of thumb that two applications prior to veraison are the critical parameters for threshold PA levels that meet Australian standards.
- PA residues carry over from one season to another in vines with the indication that the rate of carry-over, based on a small exploratory sample is under 10%.
- A direct relationship between the PA level in grapes and that in the resulting wine, suggests that grape residue testing is an effective indicator of wine PA.
- There was variability from region to region and this needs to be better understood through further research. The primary causes of the differences to be investigated include the effects of rainfall, yields and rates of application.

Source: WGGGA Newsletter "United Grower"

## SOUTH AUSTRALIAN INDUSTRY TERMS OF PAYMENT

**Editors Note:** Following the 2011 NSW Inquiry into winegrape market and prices the NSW Government response (in part) as to why the Board could no longer have terms and conditions of payment was that no other wine region in Australia has statutory terms and conditions of payment. While the SA Act was pointed out the department would not return these powers to the Board.

### Wine Grapes Industry Act 1991

An information sheet jointly prepared by SAWIA and WGCSA – issued 4 February 2013

**Did you know.....** The South Australian Wine Industry Association (SAWIA) and the Wine Grape Council of SA (WGCSA), which represent the majority of SA's wine grape growers and wineries, have prepared this information sheet in order to ensure wine grape growers and purchasers in the wine industry have a strong and clear understanding of the important legal minimum provisions of the *Wine Grapes Industry Act (the Act)*.

As the 2013 wine grape harvest gets underway, the WGCSA and the SAWIA are reminding wine grape growers and purchasers that purchasers of wine grapes that **fail to comply** with the terms and conditions set out in *the Act* risk civil action and/or prosecution.

### 1. The Act and what it provides for

*The Act* is unique in Australia and exists to regulate grape payments:

(i) it fixes terms and conditions for the payment of wine grapes by way of a Ministerial order and sets out penalties if payments are not made by the due date; and

(ii) a criminal penalty can arise if a wine grape purchaser accepts delivery of wine grapes if the previous season's payments have not been paid in full.

### 2. The time of making payment depends on the delivery date

*The Act* fixes the terms and conditions implied in every sale of wine grapes as below:

### 3. Don't flout the law - there are penalties for purchasers if they do not comply:

The Act orders that if a purchaser of wine grapes does not make a payment within the times set out above, the grower must be paid interest on any amount that remains outstanding. The interest rates used are based on the Commonwealth Bank standard overdraft rate plus 1% per annum until 31

December, and thereafter at the standard rate plus 5% per annum. Growers can take civil action to enforce the recovery of outstanding payments.

If all of the previous season's payments have not been made, it is an offence for a purchaser to accept delivery of wine grapes (from any source) (unless an exemption has been granted) and successful prosecution can result in a maximum fine of \$8,000 or 2 years imprisonment.

Similarly, if a purchaser enters into a contract for the sale of grapes (without all of the previous season's payments being made) the purchaser is in breach of that contract.

Growers should be satisfied that prospective purchasers have no outstanding grape payments from previous seasons. Both growers and purchasers should ensure that contract payment schedules comply with *the Act* and that payment dates are met.

### 4. Do you require more information?

*The Act* and Regulations can be downloaded from <http://www.pir.sa.gov.au/wine/legislation>. If you have any questions or would like to discuss any operational aspects of the Act please contact:

For grapes delivered:	First payment	Second payment	Third payment
before 1 April	1/3 by the end of the month following the month of delivery	1/3 by 30 June	1/3 by 30 September
1 April to 1 May	1/3 by 31 May	1/3 by 30 June	1/3 by 30 September
After 1 May	2/3 by 30 June	1/3 by 30 September	

Peter Hackworth  
Wine Grape Council of SA  
National Wine Centre  
ADELAIDE SA 5000  
08 8133 4403  
0439 182 411

Brian Smedley  
SA Wine Industry Assoc.  
National Wine Centre  
ADELAIDE SA 5000  
08 8222 9277  
0403 147 362

## OBJECTIVE MEASURES MUST IMPROVE

**The Wine Grapes Marketing Board and the Wine Grape Growers Australia (WGGA) Riverina representative have continued to be very vocal in pursuing better objective measures for winegrapes. Issues like colour sampling linked to payment as previously reported are currently illegal in Australia but this and other measures (that are not certified processes) are still widely used in the industry.**

The WGGA as the peak industry representing the interests of grape growers have been working toward fixing the problem within the industry. The following report has been provided to the WGMB by the WGGA.

**Growers and winemakers say objective measures of winegrapes need to improve.**

In May 2012, The Australian Wine Research Institute, in collaboration with WGGA and the National Measurement Institute, conducted a survey on the measurement of grape quality in the Australian wine industry and the report was recently released to the key partners. The survey invited 'grape sellers' and 'grape buyers' to participate in an on-line survey on how measures of winegrape quality are made and used with the aim of creating a better understanding of the processes involved and the uses made of these measurements.

WGGA believes the survey findings endorse WGGA's policy on objective measures and its belief that transparent systems of objective measures is one the last frontiers for the Australian wine sector to achieve maturity as a market-responsive and globally competitive industry (see *The United Grower*, September 2012, and follow-up on WGGA policy at <http://www.wgga.com.au/policy>).

An encouraging response to the survey of 350 industry participants, was culled down to 294 responses for analysis based on those that satisfied the statistical requirements. The report assembles the data for interpretation but does not perform the latter role. Rather, the reader should be aware that the interpretation that follows is WGGA's.

At the time of writing, the report was not generally available although it is understood that it will be

published by AWRI soon. The AWRI report is must-read for any industry member with an interest in objective measurements and WGGA hopes it will provide direction to the industry on productive outcomes available.

**Key observations from the report follow.**

- ◆ Measurements of grape juice composition (sugar, pH and TA, colour, tannin, YAN, smoke taint, seasonal comparisons), physical characteristics (weight or yield, a visual vineyard assessment, MOG) and pests and diseases are all assessed in by far the majority of grape transactions while sensory assessments, being more subjective and thus more difficult to measure tended to be less preferred for assessment.
- ◆ Buyers and sellers generally agreed on the measures that are used (although there are some differences in emphasis) with the exception that buyers mentioned 'taste and quality of the grape and wine' while sellers didn't.
- ◆ Sellers reported that the location of grape composition assessments were split roughly by thirds between the vineyard, at the weighbridge or in both locations.
- ◆ The buyer's purpose of the measures were for price setting and/or for winemaking practice. Among the top five uses for each purpose, three of them were common to both price-setting and winemaking namely; pests and diseases, yield and grape/wine taste; while visual vineyard assessment and MOG were used principally for price setting and sugar and pH/TA were used principally for winemaking.
- ◆ Across both buyers and sellers, sizeable shares of the respondents, at between 40% - 60% (depending on the factor), thought that sampling procedures and measurement methods could be improved (see associated table below). Nevertheless, while these proportions thought sampling and measurement could be improved, fewer (at 27 - 29%) registered 'dissatisfaction' with them.
- ◆ While buyers and sellers were roughly similar in their belief that improvement could occur, more sellers

	Grape juice composition		Pests and diseases	
	Sampling	Measuring	Sampling	Measuring
<b>Could be improved</b>	53%	45%	49%	40%
<b>Dissatisfied with the processes</b>	29%		27%	

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# WINE GRAPES MARKETING BOARD

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were dissatisfied than buyers. Where 27-29% of sellers were dissatisfied, only 9% of the buyers were (not shown in the table).

## **Seller (grower) responses to assessment practices**

- ◆ More than half the sellers reported that they only sell to 1 or 2 different buyers and almost 60% of the sellers in these instances did not have contracts.
- ◆ In a part of the survey where respondents were asked for further comments there were extensive and variable responses but two major themes seemed apparent:
  - ⇒ Firstly, there were a number of comments about the desirability of removing the use of colour for price-setting. These comments reflected a number of problems including the need for independent assessments and, for a number of reasons, the difficulty of relating grape colour to wine characteristics and the consequent fairness of using the measure.

⇒ Secondly, roughly three quarters of the respondents saw benefits in a standardised approach to sampling and measurements. The benefits were identified as increased efficiency, quantifiable and repeatable results, transparency, avoiding disputes, improving relationships between seller and buyer and finally, enabling better responses to winery requirements.

The most prescient comment that summed up grower dissatisfaction with existing objective measurement practices, was provided by a winemaker –

*“If I was a grower I would not tolerate such a poor, arbitrary and inconsistent approach to my remuneration.”* Touché!

WGGA works in this area to improve the deal for grower/sellers – get in touch to ask how or to offer your support.

**Source:** Wine Grape Growers Australia.

The Board funds a number of projects undertaken by the WGGA on behalf of growers in this region.

## 2013 WGMB LABORATORY SERVICES

The vintage laboratory of the Wine Grapes Marketing Board has opened for winegrape sampling, free to all constituted growers (those that pay the statutory fees and charges).

Analysis is available for **winegrape colour, Baumé, pH/TA and average berry/bunch weight.**

Grapes should be delivered to our Yambil Street office after 8:30am and before 11am for results to be available by the end of that day.

Should you have **more than two** samples to be tested please book your samples in by phoning the Board before you collect your samples to ensure that these can be accommodated. If grape samples are delivered at other times or in large numbers (without bookings) then results may not be available so promptly.

Each sample will need to contain a minimum of 12

bunches, but optimum of 20 bunches as this gives much better accuracy, especially when testing for colour. Bunches should be taken from across your block and from all locations on the vine to ensure a representative sample. When samples are dropped off, growers that have not used the service in 2012 previously will be required to complete a registration form. This is essential to enable the Board to report the results back to the grower.

The Board is also able to supply Baumé measuring kits at the cost price of \$65 (inc GST). Each kit contains the equipment and instruments to test samples in the field reliably and quickly. The Board can also supply hand-held WINE-2ATC refractometers at \$125 (inc GST).

For further information regarding any vintage analysis services contact Kristy Bartrop (Industry Development Officer) at the office or on mobile 0422 717 573.

### IMPORTANT DATES FOR YOUR DIARY

Yenda Grape Growers Association

Tue 16th April 2013, Yenda Diggers Club, 7:30pm

Hanwood Grape Growers Association

TBA (growers can register for our SMS notification service)

WINE GRAPES MARKETING BOARD - proudly serving winegrape producers since 1933  
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