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ANALYSIS

Regulatory and Legal Analysis of the Use of Wine Competition Medals in the EU, Spain, France, and Italy

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I. Introduction

A. Context: The Marketing Power and Potential Risks of Wine Medals

Medals and distinctions obtained in competitive contests and competitions have become highly valuable marketing tools in the global wine sector. For consumers, often faced with a vast selection of wines, a medal can serve as a visible and simplified indicator of quality, significantly influencing the purchase decision.[1] The visibility provided by these awards is considerable, acting as a perceived seal of approval in a complex market.[1]

However, the proliferation of wine competitions, with varying levels of rigor and reputation, presents challenges.[1] Not all competitions are equally credible, and some may award medals to a very high proportion of the wines submitted, potentially diluting the value of the distinction and creating consumer confusion.[1] This situation creates a fundamental legal tension: the need to allow wineries to legitimately promote the recognition obtained by their wines, balanced with the obligation to protect consumers against misleading information and ensure fair competition in the market. The misuse of medals, whether by claiming unearned awards, using medals from unrecognized competitions, or applying them to vintages different from the one awarded, can constitute an unfair commercial practice and erode consumer trust.

B. Objective and Scope

The objective of this report is to provide a detailed legal and regulatory analysis of the use of wine competition medals in labeling and advertising, focusing on the general framework of the European Union (EU), the specific regulations of Spain, France, and Italy, and considering the relevant international standards established by the International Organisation of Vine and Wine (OIV).

This analysis will address the following key areas:

1. The regulatory requirements governing the inclusion of medals on labels and promotional materials.
2. The legal liability and consequences for wineries that misuse or fraudulently use these medals.
3. The reporting mechanisms and authorities responsible for supervision and enforcement of regulatory compliance.
4. Compliance guidelines for wineries and relevant information for consumers to verify the legitimacy of advertised medals.

C. Methodology

The analysis is based on a review of relevant EU legislation on wine labeling and unfair commercial practices, the national laws and decrees of Spain, France, and Italy that implement or supplement European regulations, standards published by the OIV relating to competitions and labeling, guidelines issued by national regulatory agencies, and the participation rules of specific competitions, according to the information contained in the referenced research materials.

II. Regulatory Landscape of Wine Medal Labeling

A. European Union Framework

- **1. General Principle:** Within the EU regulatory framework for wine labeling, historically established by regulations such as (EC) No 753/2002 and now integrated into broader Common Market Organisation (CMO) regulations like Regulation (EU) No 1308/2013 and its implementing acts (e.g., Regulation (EU) 2019/33), the mention of distinctions and medals obtained in competitions is considered *optional* information.[3] This information can be included on the labeling of quality wines produced in specified regions (QWPSR, now PDO/PGI) and table wines with geographical indication.[4] This contrasts with mandatory indications, such as the sales denomination, actual alcoholic strength by volume, provenance, nominal volume, bottler, presence of allergens (like sulphites), and lot number, which must appear obligatorily and generally in the same field of vision.[3]
- **2. "Authorised Competitions":** EU regulations stipulate that the medals mentioned must come from "authorised competitions".[4] However, EU regulations do not explicitly define what constitutes an "authorised competition" nor do they maintain a centralized EU-level list of such competitions. This lack of a definition or centralized list at the EU level suggests that the responsibility for determining which competitions are considered "authorised" implicitly falls to the Member States.[4] This situation can lead to regulatory fragmentation, where a competition recognized in one Member State might not automatically be recognized in another for labeling purposes. Therefore, wineries operating in multiple EU markets must exercise due diligence to understand and comply with the specific regulations or recognitions of each country where they market their award-winning wines, in addition to considering adherence to international standards like those of the OIV, which are often referenced or incorporated into national regulations.[4]
- **3. Link to Vintage (Harvest Year):** EU legislation clearly links the optional indication of the harvest year (vintage) to specific requirements: at least 85% of

the grapes used must have been harvested in the indicated year.[3] Although an identical rule for medals is not explicitly stated in the general EU regulations, the fundamental principle of truthfulness in labeling, along with national regulations and international standards (such as those of the OIV), strongly implies that a medal must correspond to the specific vintage of the wine that was awarded and is being marketed. Permission to indicate the vintage is a necessary context for adding medals from authorized competitions to wines with geographical indication or QWPSR.[4] Using a medal won by one vintage to sell a different vintage would be a misleading practice.

- **4. General Consumer Protection:** Beyond specific wine rules, the EU legal framework broadly prohibits misleading advertising and unfair commercial practices through the Unfair Commercial Practices Directive (UCPD - Directive 2005/29/EC, subsequently amended, e.g., by (EU) 2019/2161 and (EU) 2024/825).[14] This directive prohibits any practice contrary to the requirements of professional diligence that is likely to materially distort the economic behavior of the average consumer.[14] Misrepresentation of awards or medals clearly falls into the category of misleading commercial practices (by action or omission). The most recent amendments to the UCPD strengthen protection against misleading environmental claims ("greenwashing") and planned obsolescence, reflecting a trend towards greater demands for truthfulness in marketing.[14] Additionally, Directive (EU) 2019/633 addresses unfair practices in B2B relationships within the agri-food supply chain, which could be relevant if the misuse of medals creates unfair competitive advantages.[16]

B. Standards of the International Organisation of Vine and Wine (OIV)

- **1. Role of the OIV:** The OIV is an intergovernmental organization of a scientific and technical nature that establishes international standards and recommendations for viticulture and oenology. Its standards, although not always legally binding in themselves for States (unless incorporated into national or EU legislation), are highly influential and frequently adopted or referenced by national regulations and by the organizers of wine competitions themselves.[1]
- **2. Standards for Competitions:** The OIV has developed a specific standard for international competitions of wines and spirit drinks of vitivinicultural origin wishing to obtain its patronage.[17] These standards cover crucial aspects to ensure the credibility and rigor of the competition, including:
    - *Eligibility of Samples:* Competitions must be open to wines that meet OIV definitions, indicating the country of origin where the grapes were harvested and vinified.[19]
    - *Tasting Process:* Blind tasting by qualified judges is required, in a specific

order of wine types, under controlled conditions of temperature, lighting, and environment, using standardized tasting sheets.[1]
    - *Limitation of Medals:* To maintain the prestige of the awards, the OIV recommends that the total number of medals awarded should not exceed 30% of the total number of samples submitted to the competition.[1] Some less reputable competitions may exceed this limit.[1]
    - *Medal Levels:* The OIV standard defines specific score thresholds for awarding Grand Gold, Gold, and Silver medals.[1] The Bronze medal is also mentioned in some OIV standards [17], although it is less common in the current practice of many major competitions.[1]
- **3. Use of Medals on Labels according to OIV:** The OIV International Standard for the Labelling of Wines establishes specific conditions for mentioning medals or distinctions on the label [23]:
    - The medal must have been awarded in a non-restricted competition that follows rules consistent with the criteria defined by the OIV.
    - The award must correspond to a homogeneous and defined quantity of wine (a specific batch) entitled to an appellation of origin or geographical indication.
    - Documentary proof of the award must exist (e.g., a diploma issued by the organizer).[18]
    - The label must indicate the volume of the batch of wine subject to the distinction, or an official control number.[23] This last OIV requirement, linking the medal to a specific batch or volume via a control number, is fundamental. It directly addresses the issue of discrepancy between the awarded vintage and the one being sold, providing a mechanism for traceability and verification. The underlying logic is clear: allowing the indiscriminate use of medals on different batches or vintages would undermine the credibility of the awards and mislead consumers. By requiring a demonstrable link to a specific batch, the OIV reinforces the truthfulness of the information on the label and supports national efforts to prevent fraud related to awards.[23]

C. National Regulatory Details

- **1. Spain:**
    - *General Labeling:* Spanish regulations follow EU guidelines on mandatory and optional indications.[8] A Bottler Registration Number (Número de Registro de Envasador) is required.[25] Specific rules exist for PDO and PGI mentions, including traditional terms like "Reserva" or "Gran Reserva".[8]
    - *Medals:* EU regulations apply, considering them optional information from "authorised competitions".[4] Royal Decree 1363/2011 develops community

regulations on labeling [25], but available information does not indicate that it specifically details the use of medals or defines "authorised competition" at the national level.[25] However, an earlier technical-sanitary regulation (from 1982) for grape-derived beverages already explicitly prohibited referencing medals or awards not genuinely granted [29], establishing a legal precedent against fraudulent claims.

- *Authorised Competitions:* No formal Spanish definition or process for "authorizing" competitions nationally has been found in the documentation, beyond adherence to general EU and OIV principles. Competitions held in Spain, such as VinoSub30 [30], Vinexpo España [31], or España Selección [22], often declare adherence to OIV standards or those of organizations like UIOE (International Union of Oenologists) or VINOFED (World Federation of Major International Wine and Spirits Competitions), which in turn align with the OIV. The Ministry of Agriculture, Fisheries and Food (MAPA) is the main authority in wine policy [8], and the Spanish Agency for Food Safety and Nutrition (AESAN) is involved in general food labeling [35], but a centralized system for authorizing competitions like the French one is not described.
- *Traceability/Vintage:* General EU and OIV principles apply. PDO/PGI regulations often require vintage indication.[8] The general prohibition of false statements [29] implicitly covers the use of a medal for the incorrect vintage or batch. The absence of an explicit national system for authorizing competitions, like the one in France, suggests that Spain might rely more on voluntary adherence to international standards (OIV) and the enforcement of general laws against fraud and consumer protection, rather than a specific pre-approval system for competitions whose medals can appear on labels. Oversight seems to fall to general food and consumer control authorities, as well as PDO/PGI regulatory councils [26] and law enforcement agencies in cases of fraud.[36]

- **2. France:**
  - *General Labeling:* Follows EU rules.[5] Detailed provisions exist for AOC/AOP/IGP, bottler information (which may require an EMB code) [41], allergens, and since December 2023, list of ingredients and nutritional declaration (possibly via QR code).[5] FranceAgriMer certifies wines without geographical indication (VSIG) that mention vintage or variety.[43]
  - *Medals:* Explicitly mentioned as optional but regulated information.[5] It is crucial that medals come from competitions "homologated" (officially recognized) by the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF).[5]
  - *Authorised Competitions (DGCCRF Homologation):* France has a formal and

centralized system. Organizers of wine competitions must apply for registration on an official list managed by the DGCCRF, demonstrating that their regulations and conduct comply with the conditions set out in the Arrêté (Decree) of February 13, 2013.[45] These requirements include adherence to standards similar to those of the OIV, such as blind tasting, jury composition, and limiting the number of medals awarded (maximum one-third of the samples presented).[5] Non-compliance with these rules can lead to the competition being removed from the official list published in the Official Bulletin of Competition, Consumption and Fraud Repression (BOCCRF), meaning that medals awarded by that competition can no longer legally appear on the labels of wines produced in France.[45] This system provides significant clarity for both wineries and control bodies, establishing a verifiable list of competitions whose medals are legally usable on labels.

- *Traceability/Vintage:* The DGCCRF homologation process and general anti-fraud rules ensure that medals are linked to the specific awarded wine. Mentioning the vintage requires at least 85% of the grapes to come from that year.[5] Fraudulent use (incorrect vintage, non-homologated competition) would constitute an offense investigated by the DGCCRF.[43]

- **3. Italy:**
  - *General Labeling:* Governed by EU regulations, implemented and detailed mainly through the "Testo Unico del Vino" (Wine Consolidation Act - Law 238/2016) [48] and related ministerial decrees.[49] Bottler information or an ICQRF code is required.[50] Specific rules exist for PDO/IGP.[48] Since January 2023, environmental labeling is also mandatory.[49] Like France, since December 2023, the list of ingredients and nutritional information is required.[7]
  - *Medals:* The Testo Unico del Vino directly addresses misuse. Article 74, paragraph 5, specifically sanctions the mention on labeling of medals or recognitions from oenological competitions for "partite di prodotti vinicoli che non ne hanno i requisiti" (batches of wine products that do not meet the requirements).[24] This legal provision is key because it explicitly prohibits the use of a medal on a batch of wine that was not the one that actually obtained it.
  - *Authorised Competitions:* The documentation does not detail a general Italian national system for "authorizing" competitions similar to France's DGCCRF. However, Article 28 of Law 238/2016 [52] refers to the need for authorization from the Ministry of Agricultural, Food and Forestry Policies (MIPAAF) to organize oenological competitions relating to PDO or PGI wines.[52] This indicates a level of ministerial supervision, at least for competitions focused on wines with protected designation. The Central Inspectorate for Quality

Protection and Fraud Repression of Agri-food Products (ICQRF) is the main body for inspection and control of quality and fraud repression in the agri-food sector, including wine.[50] Competitions held in Italy usually reference international standards.[62] The Italian approach seems to focus more on enforcing sanctions against misuse (facilitated by the specific provision of Art. 74(5)) than on a general system of prior approval for all competitions.

- *Traceability/Vintage:* Article 74(5) links the medal to the specific batch ("partita").[24] Furthermore, Article 74(3) sanctions false or misleading statements about the vintage ("annata") in PDO and PGI wines.[24] The requirement for documentary proof and traceability is implicit in the control functions of the ICQRF.[57] The existence of an explicit legal basis in the Testo Unico del Vino (Art. 74.5) against the use of medals on non-awarded batches provides the ICQRF with a direct tool to sanction this type of fraud, even without a formal system for general authorization of competitions.

D. Comparative Table: Regulation of Medal Use on Labels

Feature	EU (General Framework)	OIV (International Standard)	Spain	France	Italy
Is Medal Use Permitted?	Yes, optional for wines with GI/QWPSR [4]	Yes, under strict conditions [23]	Yes, following EU framework.[4] Fraudulent use prohibited.[29]	Yes, optional but regulated.[5]	Yes, but sanctioned if used for non-awarded batches (Art. 74(5) TUV).[24]
Requirement for "Authorised Competition"?	Yes [4]	Yes, competition must follow OIV standards [23]	Yes (EU framework) [4], but no clear national definition/process in snippets. Adherence to OIV/international	Yes, explicitly required.[5]	Implicit. Requires MIPAAF authorization for PDO/IGP competitions.[52] ICQRF control over correct use.[24]

			standards presumed.[30]		
National Authorisation Body/List?	No at EU level	N/A (is international standard)	Not clearly identified in snippets (MAPA/AESAN/Regions supervise).[8]	Yes, DGCCRF maintains official list based on Arrêté 13/02/2013.[5]	MIPAAF for PDO/IGP competitions.[52] No general list identified. ICQRF is the main control body.[57]
Required Link to Specific Vintage/Batch?	Implicit by rules of truthfulness and vintage [4]	Yes, explicit: homogeneous and defined batch, volume or control no. on label [23]	Implicit by prohibition of fraud [29] and vintage rules.[8]	Yes, implicit by vintage rules [5] and DGCCRF control.[43]	Yes, explicit: sanction for use on "partite" (batches) without requirements (Art. 74(5) TUV).[24] Sanction for false vintage info (Art. 74(3) TUV).[24]
Key Legal Reference/Standard	Reg. (EU) 1308/2013, Reg. (EU) 2019/33, UCPD	OIV Labelling Standard, OIV Competition Standard [19]	RD 1363/2011 [25], General Advertising Law [66], Consumer Law [67], (Historic: BOE-A-1982-16226 [29])	Code Rural, Code Consommation, Arrêté 13/02/2013.[4] [5]	Testo Unico Vino (L. 238/2016, esp. Art. 74) [24], Codice del Consumo.

III. Liability and Consequences of Fraudulent Medal Use

A. Definition of Misuse and Fraud

The misuse or fraudulent use of wine competition medals encompasses various practices contrary to regulations and the principles of fair trade and truthfulness.

Based on the regulations and standards analyzed, the following acts are considered fraudulent uses:

- **Claiming unearned medals:** Attributing a medal to a wine that was never awarded in any competition.
- **Using medals from unrecognized/unauthorized competitions:** Especially relevant in jurisdictions with formal authorization systems like France, where using medals from competitions not homologated by the DGCCRF is illegal.[5] Elsewhere, it could be considered misleading if the competition lacks credibility or does not follow minimum standards (such as those of the OIV).
- **Applying a medal to a different vintage or batch:** Using a medal won by a specific vintage (harvest year) or production batch to market a later vintage or a different batch of the same wine. This practice directly violates the traceability principles required by the OIV [23], the rules of some competitions [69], and is specifically sanctioned in Italy.[24]
- **Extending the use of the medal to other products:** Using the medal won by a specific wine to promote other wines from the winery or the entire range, misleading about the scope of the recognition.[69]
- **Misleading presentation:** Displaying the medal in a way that misleads about its importance (e.g., making a silver medal look like gold) or without the necessary information for its correct interpretation (competition name, year).

B. Legal Basis for Sanctions

The imposition of sanctions for the fraudulent use of medals is based on several regulatory levels:

- **1. Specific Wine Laws:** National wine legislations often contain sanctioning provisions for labeling infringements. As seen, the Italian Testo Unico del Vino (Art. 74.5) directly sanctions the use of medals on batches that do not meet the requirements.[24] Other national regulations may include general clauses on labeling infringements that would cover the misuse of optional indications like medals (e.g., in Spain, potentially under RD 1363/2011 [25] or consumer regulations; in France, under the Code Rural or the Code de la Consommation).
- **2. Consumer Protection Laws:** General legislation against misleading advertising and unfair commercial practices is a fundamental pillar for sanctioning the misuse of medals.
    - *EU:* The UCPD Directive (2005/29/EC and its amendments) prohibits misleading actions or omissions that are likely to mislead the average consumer and alter their economic behavior.[14] False claims about awards fit perfectly into this definition.

    - *Spain:* The General Law for the Defence of Consumers and Users (TRLGDCU) [71] and the General Advertising Law [66] prohibit misleading advertising. Sanctions for serious infringements can be considerable, reaching up to €100,000 or even multiples of the illicit profit obtained.[71]
    - *France:* The Code de la Consommation prohibits misleading commercial practices [78], and the DGCCRF is responsible for enforcing this regulation in the wine sector.[43]
    - *Italy:* The Codice del Consumo implements the UCPD, and the ICQRF acts against agri-food fraud, including misleading labeling.[50]
- **3. Fraud Laws:** In cases of deliberate, systematic, and large-scale misuse with the intent to obtain significant economic benefit, the practices could be classified as criminal offenses. This could include crimes such as fraud (estafa) in Spain [39], deception (tromperie) in France [47], or commercial fraud (frode in commercio) in Italy.[53]

C. Spectrum of Consequences

Wineries engaging in the fraudulent use of medals face a range of possible consequences, extending beyond financial penalties:

- **1. Administrative Sanctions:** Fines imposed by regulatory authorities (DGCCRF in France, ICQRF in Italy, competent authorities in Spain) are the most direct and common consequence. Amounts can vary greatly depending on the severity of the infringement, the scale of the fraud, recidivism, and the specific legislation of each jurisdiction.[71]
- **2. Sanctions Imposed by Competitions:** Competition organizers themselves may have mechanisms to sanction non-compliance with their rules. This can include withdrawing the awarded medal or banning participation in future editions of the competition.[69]
- **3. Corrective Actions:** Authorities may demand the withdrawal from the market of products with misleading labeling [43], the publication of corrective advertisements, or issue judicial or administrative orders to cease the illegal practice (injunctions).[78]
- **4. Reputational Damage:** Perhaps one of the most damaging long-term consequences is the harm to the winery's reputation. The practice of "Name and Shame," used by authorities like the DGCCRF in France [80], involves publicizing the sanctions imposed, generating significant negative publicity. Furthermore, investigations and news about fraud in the wine sector often receive wide media coverage, eroding the trust of consumers and business partners.[36] This reputational risk is a significant deterrent.

- **5. Civil Liability:** Although potentially complex to implement, competitors harmed by unfair competition resulting from the fraudulent use of medals, or consumers who feel deceived, could initiate legal actions to claim damages.
- **6. Criminal Penalties:** In the most serious cases classified as fraud offenses, consequences can include substantial criminal fines and, potentially, prison sentences for those responsible.[47]
- **7. Illustrative Examples:** Recent cases of fraud in the wine sector, although not all focused exclusively on medals, illustrate the seriousness with which these practices are pursued. Examples include investigations into illegal blending and fraudulent labeling in Bordeaux [47], issues with the labeling of aged wines in Valdepeñas [36], the marketing of low-quality wine under protected DOs like Rioja or Málaga [39], or international networks counterfeiting high-end wines.[81] These cases demonstrate the authorities' willingness to investigate and sanction deceptive practices in the sector.

The combination of direct financial sanctions, the possible loss of recognition, mandatory corrective actions, and, above all, the tangible risk of reputational damage amplified by authorities' transparency policies and media attention, constitutes a strong deterrent against the misuse of competition medals.

IV. Control and Reporting Mechanisms

A. Responsible Authorities and their Powers

The supervision and control of the correct use of medals on wine labels fall to different bodies depending on the country:

- **1. France:** The **DGCCRF** is the main authority responsible for controlling wine labeling, including verifying medals from homologated competitions, and investigating fraud and misleading commercial practices in this sector.[5] **FranceAgriMer** specifically handles the certification and control of Wines Without Geographical Indication (VSIG) that mention vintage or variety.[43] The DGCCRF has broad investigative powers (access to documentation, sampling) and can impose administrative sanctions, issue warnings, or corrective orders.[80]
- **2. Italy:** The **ICQRF**, under the MIPAAF, is the main inspection body for quality control and fraud repression in the agri-food sector, including wine.[50] It conducts inspections, controls labeling (verifying compliance with Art. 74.5 regarding medals), and imposes corresponding sanctions.[52] Specialized units of the Carabinieri also collaborate in agri-food protection.[57]
- **3. Spain:** Responsibility appears more distributed. **MAPA** has general competencies in agri-food policy and may oversee aspects related to PDOs/PGIs.[8]

AESAN deals with food safety and general labeling.[35] The **Autonomous Communities** play a crucial role in controlling and enforcing regulations within their respective territories.[36] The **Guardia Civil**, through SEPRONA, actively investigates food fraud cases, including those related to wine and designations of origin.[37] **Consumer protection agencies** (national, regional, and local - OMICs) handle complaints and reports of misleading practices.[40]

- **4. EU Level: OLAF** (European Anti-Fraud Office) primarily investigates fraud affecting the EU budget but can also receive notifications about cross-border fraud harming consumers.[32] Cooperation exists between national authorities through European networks.

B. Reporting Channels for Interested Parties

Various channels exist for consumers, competitors, or other interested parties to report suspected fraudulent use of medals:

- **1. Consumers:**
  - *France:* The online platform **SignalConso** allows consumers to report problems directly to the DGCCRF quickly and easily.[78] The telephone and postal service **RéponseConso** is also available.[78]
  - *Italy:* Complaints can be submitted directly to the **ICQRF** (specific forms exist for unfair commercial practices) [57] or through general consumer protection bodies.
  - *Spain:* Consumers can go to the **Municipal Consumer Information Offices (OMICs)** or the consumer bodies of their Autonomous Community.[40] They can also use the **complaint form (hoja de quejas y reclamaciones)** at the establishment where they purchased the product.[88] The MAPA informant channel [32] or direct reporting to the Guardia Civil [37] are options if more serious fraud is suspected.
  - *EU:* The **OLAF Fraud Notification System** allows online reporting, even anonymously.[32]
- **2. Competitors / Whistleblowers:** They can communicate their suspicions to the competent national authorities (DGCCRF, ICQRF, MAPA, Regional Authorities, Guardia Civil) or, in some cases, through industry associations. OLAF's or national anonymous reporting channels can also be an avenue.
- **3. Authorities:** The agencies themselves conduct inspections and controls ex officio based on risk analysis, annual control programs, or information received.[59] They share information nationally and internationally to combat cross-border fraud.

C. Investigation and Verification Processes

When a complaint is received or during an ex officio inspection, competent authorities use several methods to verify the legitimacy of a medal indicated on the label:

- **Documentary Verification:** Review of the winery's records, including competition entry forms, certificates of analysis of the submitted wine [19], diplomas or documentary proof of the award obtained [18], and production and bottling records associated with lot numbers.
- **Label Analysis:** Examination of the label to ensure that the information about the medal is clear, complete, and not misleading.
- **Sample Analysis:** In some cases, samples of the marketed product may be taken for physico-chemical or comparative analysis.[69] Some competitions, like Mundus Vini, reserve the right to request samples of the marketed wine after the competition to compare them analytically with the original awarded sample.[69]
- **Batch Traceability:** The key to verification is being able to trace the wine from the specific bottle back to the specific production batch that was entered and awarded in the competition. The lot number, mandatory in the EU [4], is the fundamental tool that allows this traceability. Authorities compare the characteristics of the marketed batch (vintage, composition, volume) with those of the awarded batch according to competition documentation and winery records. The ability of authorities to access and verify these records linked to specific batches is essential for effective enforcement of the regulations.[69]

V. Compliance in Medal Advertising and Consumer Guidance

A. Best Practices for Wineries

To ensure regulatory compliance and avoid sanctions, wineries should adopt a rigorous and transparent approach to the use of competition medals:

- **1. Verify Competition Legitimacy:** Before participating or using a medal, ensure the competition is reputable and meets the legal requirements of the markets where the wine will be sold. In France, this means verifying that the competition is homologated by the DGCCRF.[5] In Italy, MIPAAF authorization should be considered for competitions involving PDO/IGP wines.[52] Generally, adherence to OIV standards is a good indicator of credibility.[1]
- **2. Strict Traceability:** The golden rule is to use the medal *only* for the exact wine (same composition), the exact vintage (harvest year), and the exact production batch or lot that won the award.[69] The medal should not be applied to subsequent vintages, different bottlings, or wines with significant variations, unless they were

unequivocally part of the same awarded batch.

- **3. Clear and Complete Labeling:** When displaying a medal (either as an additional sticker or printed on the main/back label), the information must be clear, truthful, and unambiguous. Although not always explicitly required by law for medals in all jurisdictions, best practices derived from OIV principles and anti-fraud regulations suggest including:
  - Full name of the competition.
  - Year the medal was awarded.
  - Medal level (Grand Gold, Gold, Silver, etc.).
  - The specific vintage of the wine that obtained the medal. This aligns with general vintage labeling rules [4] and the prohibition of false information about it.[24]
- **4. Maintain Documentation:** Keep meticulous and easily accessible records supporting each medal used. This includes entry forms, certificates of analysis [19], official award diplomas or certificates [18], and bottling records linked to lot numbers. This documentation is essential to demonstrate the legitimacy of the claim in case of an inspection.[23]
- **5. Avoid Misleading Associations:** Do not use medals in a way that suggests endorsement or superior quality for other products of the winery or for the winery as a whole, beyond the specific wine that was awarded.[69]

B. Consumer Awareness

Consumers also play a role in ensuring market integrity. To assess the legitimacy of a medal on a wine bottle, they can consider the following points:

- **1. What to Verify:** Look for clarity and detail in the information associated with the medal. Is the competition name, award year, and medal level specified? Does the vintage indicated on the bottle seem consistent with the award? (Information synthesized from best practices for wineries).
- **2. Warning Signs:** Be wary of vague claims like "Award-Winning Wine," medals from unknown or unprofessional-looking competitions, or prominently displayed medals on wines with unusually low prices for the quality they seem to suggest.[36]
- **3. Online Verification:** Many reputable competitions publish their results online, often with databases allowing searches by wine, winery, or vintage.[94] Consumers can use these resources to verify claims.
- **4. Understand Limitations:** A medal is only an indicator of performance in a specific context (usually a blind tasting by an expert panel [1]) and does not guarantee that the wine will suit every consumer's personal taste. Wine critic scores, production labels (organic, biodynamic, etc.) offer different types of

information.[1] Furthermore, not all wineries, even those producing excellent wines, choose to participate in competitions.[1]

- **5. Report Suspicions:** If a consumer finds a medal that seems fraudulent or misleading, they can use the reporting channels described in Section IV.B.1 to inform the competent authorities.[32] Effective consumer protection requires not only clear regulations but also accessible information about competition results and simple channels for reporting irregularities. The trend towards using electronic labels (QR codes) to provide information on ingredients and nutrition [7] could, in the future, offer ways to link to verifiable information about awards, although current regulations often restrict the use of these e-labels for commercial purposes, prioritizing mandatory non-commercial information.[41]

VI. Conclusion and Recommendations

A. Summary of Key Findings

The analysis of regulations on the use of wine competition medals in the EU, Spain, France, and Italy, supplemented by OIV standards, reveals a complex framework but with clear common principles:

- **Existing but Variable Regulation:** The use of medals is an optional indication permitted under EU law, but subject to conditions. The requirement that they come from "authorised competitions" is interpreted and applied differently in Member States, with France having the most formalized homologation system (DGCCRF) [5], while Italy focuses on the specific sanction for misuse on non-awarded batches (Art. 74.5 TUV) [24], and Spain appears to rely more on adherence to international standards and general anti-fraud laws.
- **Traceability as a Central Axis:** A fundamental and cross-cutting principle is the need to unequivocally link the medal to the specific batch and vintage that obtained it. OIV standards [23], rules of serious competitions [69], and specific legal provisions (as in Italy [24]) underscore this requirement to ensure truthfulness and prevent consumer deception.
- **Significant Consequences of Misuse:** Fraudulent use of medals is not a minor offense. It is considered a misleading commercial practice under consumer protection legislation (UCPD and national laws) and can violate specific wine regulations. The consequences are multifaceted, including substantial administrative fines, withdrawal of the medal by the competition, the obligation to withdraw products from the market, severe reputational damage (potentiated by "name and shame" practices [80] and media coverage), and in serious cases, criminal liability for fraud.

- **Control and Reporting Mechanisms:** Dedicated bodies exist for supervision and control (DGCCRF, ICQRF, Spanish authorities), and established channels allow both consumers and competitors to report suspected irregularities. Enforcement effectiveness largely depends on the ability to verify traceability through winery records and lot numbers.

B. Actionable Recommendations for Wineries

To navigate this complex regulatory landscape and use medals effectively and legally, wineries are recommended to adopt the following measures:

1. **Implement Rigorous Internal Controls:** Establish robust systems to record and track competition entries, awards obtained, and the specific wine batches/lots corresponding to each award, clearly linking them to the lot numbers used in bottling.
2. **Develop Clear Marketing and Labeling Guidelines:** Train responsible teams on applicable regulations and internal policies for medal use, emphasizing the strict prohibition of applying them to vintages or batches different from those awarded.
3. **Prioritize Reputable and Recognized Competitions:** Prefer participation in competitions with a good international reputation, that follow OIV standards, and are officially recognized or authorized in key markets where the wine will be sold (especially relevant for France).
4. **Ensure Accuracy and Verifiability in Communication:** Ensure all mentions of medals on labels, advertising, and promotional material are accurate, verifiable, and provide sufficient detail (competition name, year, medal level, and its clear association with the vintage indicated on the bottle).
5. **Maintain Comprehensive Documentation:** File in an organized and accessible manner all documentation supporting each medal used (entry forms, analyses, diplomas, bottling records by lot) to be able to present it quickly in case of inspection.
6. **Stay Informed:** Actively follow the evolution of wine labeling legislation, including regulations on electronic labels and any possible future harmonization or changes in requirements for mentioning awards.

In summary, while competition medals can be a valuable tool, their use demands an absolute commitment to truthfulness, traceability, and regulatory compliance to protect both the consumer and the winery's own reputation.

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