

Original Article

Wine, regions and the geographic imperative: The Coonawarra example

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Abstract: The growth of the global wine trade has focused attention on regional origin in the production, marketing and consumption of wine. This paper presents a case study of the regulatory processes around the development of one particular South Australian wine region: Coonawarra. The process of the delineation of the Coonawarra region illustrates the tensions between treating wine regions as biophysical entities, and the realities of the economic, political, legal and cultural forces that shape regions. The paper highlights how ambiguities in the physical and social criteria that frame regional definition legislation can lead to boundaries that form through a process of judicial accretion rather than relating directly to any of the criteria themselves.

Key words: Australia, juridical process, regionalism, regulation, wine.

The wine industry in Australia has undergone a meteoric rise in reputation and production in recent decades, to the extent that oversupply has become a serious threat to many growers. Driven largely by spectacular export growth, wine-grape plantings now cover substantially more of the country, in more diverse areas, than ever before. One consequence of this expanded internationalization has been the need to conform to an increasingly complex and sophisticated array of international regulatory regimes, particularly that of the European Union. Attention has thus fallen on the development of more rigorous 'place of origin' labelling for wine products. Essentially developed by France to protect the name and the value of quality wine regions (Champagne, Bordeaux, Burgundy, etc.), these requirements have now become an integral part of the

international wine trade and are being increasingly formalized in all wine-producing countries. Australia has almost completed the process of formally defining its wine regions.

This paper offers a case study of the definition of one region in Australia that highlights the benefits and risks of following the Australian system. The paper opens with a discussion of the long-standing associations between wine and naturalness, and then outlines the context within which the Australian system of defining Geographic Indications (GIs) for wine regions has occurred. The details of the legislation and regulations are then spelt out, highlighting the emphasis that is placed on the definition of 'natural' wine regions. The third part of the paper provides a description of the process by which the Geographical Indication (GI) for the Coonawarra region was developed. This

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was a high profile, contested process that illustrates the ways in which the encoding of 'naturalness' became 'contaminated' with local history, culture, economics and politics. The paper concludes with some thoughts on the implications of the Coonawarra case for the development of formal regional definition elsewhere.

The 'natural' wine region

Australia inherited the European tradition of treating wine regions as environmental constructs – of wines from particular places being fundamentally defined by and reflections of the qualities of the physical environments of these places.¹ As Moran (1993) notes for the similar American context, this was largely based on a misreading of the evolution of the French *appellations d'origine contrôlée* (AOC) system. Moran (1993) argues that the French *appellations* evolved over centuries through empirical experimentation of grape varieties in different viticultural environments. In the 20th century, as the AOC system became more formalized, the hierarchy of *appellations* (from Grand Cru through to the most humble *vin de pays*) was legitimated by appeal to 'scientific environmental evidence' without establishing how particular localized environmental conditions influenced the resulting wines: 'myth becomes the conventional wisdom and is legitimated into the dominant ideology' (Moran 1993: 714). In the Australian context, Allen (2000: 79–80) typifies such associations made between environments, regions and particular wine qualities.

You need to get your head around the fact that a powerful rich shiraz from a shimmering hot inland vineyard along the Murray River, and a wispy, perfumed riesling from a cold gravelly vineyard in southern Tasmania, and an intense, oatmeal-and-melon flavoured chardonnay from a breezy, gum-tree-fringed vineyard in Margaret River are all products of the same industry.

The emphasis on the 'naturalness' of regions and the connections between regions and particular varieties, styles and quality of wine has widespread appeal, in part Moran (1993: 701) asserts, because of 'the latent environmental determinism in many of us'. Different

environments (read *appellations* or regions) are seen as being important in the production of very different wine products, and the differences must, to this way of thinking, be down to 'natural' environmental factors: 'the physical environmental attributes of the defined territory of the appellation have been liberally and uncritically transferred to the wine made there' (Moran 1993: 701). Wine regions, through their influence over different wines, in this sense also encapsulate sites of difference from each other, as well as being, potentially at least, sites of internal consistency.

This dominant discourse of the 'naturalness' of the wine region has been critiqued in recent geographical literature, and indeed has assumed a somewhat ambiguous position in the broader wine media as the influence of cultural, political and economic factors is increasingly foregrounded by the industry itself. The work of Jones (2003) and Jones and Clark (2000) has highlighted the evolving economic, cultural and political frames within which the Languedoc wine region functions, while Pritchard's research (1999) on grower-winery contract relations in the Murrumbidgee Irrigation Area (MIA), Haughton and Browett's (1995) work on the social and economic evolution of the McLaren Vale and O'Neill's (2000) investigations of the industry in the Hunter Valley, all highlight the influence of economic and social factors over production of wine in the Australian context. Moran's (1993) exemplary study of territoriality and wine specifically targets and critiques the notion of naturalness in the French and American contexts, and outlines the long-term human influence over the wine landscapes of Europe. Recent work by Gade (2004) and Jacquet and Laferté (2005) underscores the ways in which particular local economic and political alliances and competition, and the interplay between national bodies and local producers, shape local wine economies and landscapes. There is little that is solely natural in such productive economic geographies, parochial 'myths' of local environments and wine quality notwithstanding.

In this context, the debates around the French concept of *terroir* neatly capture the complexity and perspectives in this debate. Vaudour (2002) has noted the variations of meaning associated with the term, along with the fact that it is regularly mistranslated in

English usage. The 'New World' wine industries, in an attempt perhaps to counter the deep historical roots of the European industry, have developed a strong emphasis on *terroir* as an outcome of place-specific mixes of physical factors – climate, aspect, soils and substrate (see Port 2004 for one of many such examples). Vaudour (2002) outlines a much broader range of factors that feed into a broader sense of *terroir*, including landscape units, historical geography, identity and tradition. Such 'indefinable qualities' lead critics to see this as deliberate French obfuscation, although even those who seek to 'dispel the mystique' that appears to outsiders to surround the term in its French usage, concede that:

It should be said, however, that superior *terroirs* have a way of perpetuating themselves that is not entirely natural ... *Terroirs* depend on man and his money for their expression.... (Johnson & Robinson 2001: 22)

Recent work by Lewis, Barker and Moran (see for example Barker *et al.* 2001 and Lewis *et al.* 2002) has specifically targeted the debates around *terroir* and insists on a perspective that foregrounds issues of industry structure, regulation and evolution over any portrayal of wine production as simply a translation of naturalness into a cultural product. Wine regions, then, bear the heavy imprint of human social, economic and environmental influence, although they remain linked to the *physical possibilities* for wine production offered by different places.

Despite this situation, significant parts of the Australian wine industry continue to privilege rhetorically the natural, pure elements of the wine-production process. In one striking example, a prominent McLaren Vale winemaker contends that:

... many viticultural and wine-making techniques can hide gentle flavour nuances that soil brings out.... It's unnatural.... such carelessness can obliterate any trace of *terroir*, of which soil is a key component.... The sense of place is lost. (Port 2004: 22)²

Wine writers, consumers and makers then, persist in associating wine regions (and places and their environments) with particular wine

styles and qualities, and this association continues to be put down to influences of the 'natural' environment. When it came time to formally define the boundaries of Australia's wine regions, the industry regulators (under the strong guidance of the industry) drew on this 'natural' discourse and sought to delineate wine regions largely on the physical characteristics of place.

Codification of region in Australia

The formal process of defining wine regions in Australia began in 1993 when 'the Australian Wine and Brandy Corporation (AWBC) Act 1980 was updated to enable Australia to fulfil its Agreements with the European Community (EC) on Trade in Wine (Article 6) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (Article 23) (AWBC n.d). This came about in response to European pressure to eliminate the use of European regional names in association with Australian wine – champagne being the most obvious. Australia's increasing wine exports to EC countries during the late 1980s and early 1990s heightened the pressure to comply, with the implicit threat of exclusion from the market being used to drive assent from Australia. The guiding principle behind this trend was the protection of regional names, particularly those linked to particular styles and/or reputations for quality wine production.

The direction that this process took was the definition of 'Geographical Indications' for regions (and other levels of spatial extent, including 'zones' and 'subregions'). On the surface, these GIs paralleled the *Appellation d'Origine Contrôlée* (AOC) system used in France to regulate quality wine production (and similarly elsewhere in Europe) but they are not prescriptive in terms of viticultural and winemaking practices (see Moran 1993). This difference is an important one in terms of the way in which regionality is expressed. In the French case, an AOC dictates a spatial area along with restrictions on maximum crop per hectare,³ the winemaking methods to be employed, and the grape varieties to be grown. The definition of an AOC boundary, while critical locally, is but one component of the regulation.

In the Australian case, the GI regulations are much less restrictive in winemaking practices, and in terms of the formal definition of a region, tied strongly to physical characteristics. Two aspects of this situation were critical from the perspective of the industry. First, the industry sought to protect its ability to produce blended wines from across regions, as this was a central part of the development at the large-scale (industrial, according to French critics) end of the industry. This situation had allowed the industry throughout the 1990s to develop an international reputation for consistency and value. So while the GI process emphasized the development of formal regions, the industry was able to ensure that there was no restriction on the production of blended wines, only their labelling. The second was an aversion to an explicit hierarchy of quality between regions or the development of quality criteria for inclusion within a region.

The AWBC's role in this process took a number of forms. Charged with enabling Australia to fulfil international obligations under prescribed wine trading agreements, the amendments to the Act gave the AWBC power to determine the boundaries and names of wine regions and localities in Australia, the varieties of grapes that may be used in the production of wine, and the accuracy of statements made on wine labels about vintage, variety or geographical indications (AWBC n.d.). For current purposes, the process to determine the geographical boundaries and names of wine regions is of most interest.

A GI takes the form of a textual description (i.e. a list of grid references, map coordinates, roads and natural landmarks which can be traced to outline the regional boundary) along with a map. Its main purpose is to protect the use of the regional name under international law, limiting its use to describe wines produced from wine grape fruit grown within that GI. The restriction is that wine which carries the regional name must consist of a minimum of 85% of fruit from that region.

The definition of a region is relatively simple.

A region must be a single tract of land, comprising at least five independently owned wine grape vineyards of at least five hectares each and usually produce 500 tonnes of wine grapes

in a year. A region is required to be measurably discrete from adjoining regions and have measurable homogeneity in grape-growing attributes over its area (s. 24, AWBC n.d.).

As can be seen from this definition, there is an emphasis on both internal homogeneity of physical elements and the discreteness of these elements from surrounding areas. The regulations go on to list those elements that the GIC are to 'have regard to' in determining geographical indications. These include (s. 25, AWBC):

- (b) the history of the founding and development of the area
- (c) the existence in relation to natural features
- (d) the existence in relation to the area of constructed features
- (e) the boundary of an area suggested in application to the [GIC]
- (g) local government boundary maps in relation to the area
- (i) the degree of discreteness and homogeneity of the proposed geographical indication in respect of the following attributes:
 - (i) the geological formation of the area;
 - (ii) the degree to which the climate of the area is uniform having regard to the temperature, atmospheric pressure, humidity, rainfall, number of hours of sunshine and any other weather conditions experienced ... ;
 - (iii) whether the date on which harvesting a particular variety of grapes is expected to begin in the area is the same as the date on which harvesting grapes of the same variety is expected to begin in neighbouring areas;
 - (iv) whether part or all of the area is within a natural drainage basin;
 - (vi) the elevation of the area;
 - (viii) any relevant traditional divisions within the area;
 - (ix) the history of grape and wine production within the area.

This list itself comprises a mix of physical and cultural attributes (and hence appears to allow for a boundary that reflects history and social influences), but as will be illustrated below, this is misleading, as can be inferred by

reference back to the original definition of a region (s. 24) and significantly for the case study below, it does not explicitly refer to soils.

The GI process begins when a group of winemakers collectively submit an application to the Geographical Indications Committee (GIC) of the AWBC for the determination of a regional (or subregional) boundary. The GIC assesses the application and so long as it fits the criteria, issues an Interim Declaration for public comment. If submissions are received the GIC may, if necessary, convene a public hearing and after hearing the submissions, issue a Final Determination. Interested parties are able to appeal this decision to, firstly, the Australian Administrative Tribunal (AAT) and if still not satisfied, to the Federal Court of Australia (FCA). Once this process is exhausted, though, there is no scope for reviews or adjustments to the GI boundary in the future. Under a recent amendment to the Act it is possible that a boundary can be *dis-established* and a new, revised one put in place; however, given that this would require unanimous support from all the parties inside the existing boundaries, it seems highly unlikely that this process could be used to adjust an existing GI (E. Sullivan, AWBC, pers. comm., 12 December, 2005).

Importantly, the process is regarded by the AWBC (and the industry) as bottom-up, with the grape-growers and winemakers of an area involved in setting the regional boundary, not a distant formal institution (cf. Jacquet & Laferté 2005). In terms of the current argument, it is clear that this determination of a boundary passes the wine region from the strictly biophysical into the social and economic realm of local politics and economics, all couched within a socially constructed 'bio-physical' region.

To date Final Determinations have been made on 59 regions, contained within 27 'zones', and inclusive of 11 'subregions'⁴ (AWBC n.d.). The most contentious of these, and the most revealing in terms of the construction of 'region' in the Australian wine industry, has been the Coonawarra GI.

Contesting regions – the Coonawarra case

The Coonawarra, in South Australia, is one of Australia's leading wine regions, associated

particularly with the production of premium red wines. Grapes had been grown in the area from the mid-19th century, and the first wines from the region were produced from 1890–1891 by John Riddoch (Foale & Smith 2004: 47). Only in the post-World War II period did the name 'Coonawarra' become widely known and only in the last 20 years has 'the reputation of the Coonawarra for fine wines become firmly established' (Foale & Smith 2004: 47). In physical terms, the Coonawarra region is classically associated with a long, narrow raised (1–2 m) strip of '*terra rossa*' soil (now referred to as the Coonawarra 'cigar'), approximately 20–25 km long by between 4 km and 2.5 km wide that runs through the towns of Coonawarra and Penola, although it is non-continuous over this extent.⁵ The almost mythical ability of this *terra rossa* soil to produce premium wines – and Hancock and Huggett (2004: 121) argue the myth has little basis when they assert '[t]he special feature of Coonawarra that makes it such a good district for producing wines is not the *Terra Rossa*, but the underlying unusual limestone' – is a clear example of the environmentally determinist explanations associated with wine regions documented elsewhere by Moran (1993).

Despite the name having been used for decades, it was not until 1984 that any attempt was made to define the spatial extent of the 'Coonawarra'. At this time the Viticultural Council of the Southeast determined that the name Coonawarra should be reserved for grapes originating from the 'Hundreds' of Penola and Comaum.⁶ This boundary includes extensive areas of black soils and significant poorly drained areas unsuitable for viticulture. Importantly, this decision recognized that the 'cigar' of *terra rossa* did not contain all the area of premium grapes and acknowledged that much of the post-WWII period expansion took in large areas of suitably drained soils away from the 'cigar'. The strict, physical definition of 'the region' – the link between the soil and the name – was already stretched at this stage.

As was pointed out at the later hearings discussed below, this decision had no legal force, and the parties to it had no way of enforcing it. With the start of the GIC process, there were various manoeuvrings by the different interests (including both large and

small wine producing companies) to try and garner support for alternatively more inclusive or exclusive formal definitions of the Coonawarra region. Eventually an application was put to the GIC in 1995 by the Coonawarra Grape Growers Association (CGGA) and the Coonawarra Vignerons Association (CVA) for a determination of a region that was contained within, but comprised only part of, the Hundreds of Penola and Comaum. This sought to include all existing vineyards within the Hundreds as well as a few where financial commitments had been made to establish grapes, although they were not yet present. To overcome one particular part of the GIC regulations that insisted on a contiguous area, the GI also included where necessary intervening sections of poorer soils between existing vineyards.

As Foale and Smith (2004: 49) point out, this was 'a boundary of expediency ... [that] ... incorporated a large area which was generally regarded as unsuitable for viticulture'. The boundary suggested by this group was accepted by the GIC and became the basis for the Interim Determination issued by the GIC in April 1997 (Fig. 1).

There were 33 submissions (objections) to the original Interim Determination, and much politicking locally. The GIC, after receiving information from a radiometric survey that sought to delineate the extent of the '*terra rossa*', and being subject to 'considerable agitation and pressure' (Foale & Smith 2004: 50) issued a Variation to the Interim Determination in February 1999 (Fig. 1), and in effect defined a smaller, more compact area than it had originally. While a significant area to the northeast was excised, small additional areas to the north and the east were added. This had the immediate effect of increasing the number of submissions to 49.

In May 2000, after the standard 'considering all the evidence and hearing from the conflicting interests', the GIC issued their Final Determination for the Coonawarra (Fig. 1). While the Final Determination followed the Interim Variation in large part, there were further amendments, with the two areas added by the Variation being dropped and a substantial area to the south, including the town of Penola, being excised. In essence the GIC, faced with soil

that was distinctive, but not necessary for premium grapes, and a relatively homogenous climate across the region, largely fell back on cultural determinants for defining the region, and particularly the administrative boundaries of the Hundreds and the historical patterns of grape growing. History thus became a proxy for the biophysical criteria of the definition of the region, inadvertently mirroring the construction of a French appellation. The area of the Coonawarra as covered by the GIC's Final Determination was 157.7 km² (FCA 2002: 22).

This process had had some strange effects as outlined by Foale and Smith (2004). Some areas that had been excluded in the original Interim, then included in the Interim variation, now found themselves out again. Others areas (to the south), which had been part of the original and variation Interim Determinations, were now out (and placed in the far less recognizable 'Penola' GIC). As Foale and Smith (2004) note, the Final Determination also introduced a new element into the characteristics for inclusion of some properties into the Coonawarra region – proximity to the cigar. Foale and Smith (2004: 58) scathingly ask whether it is 'possible that the winds could blow some of the grape-growing goodness of the "cigar" onto adjacent areas.'

Unsurprisingly, 46 grape growers excluded from 'Coonawarra' by the GIC's Final Determination appealed against the Determination to the Australian Administrative Appeals Tribunal (AAT). After 25 apparently intense days of hearings in March and April 2001, and several months of considering the voluminous amounts of evidence tendered, the AAT presented its judgement in October 2001. The findings (AAT 2001) revolved around three main issues. First, although climate is a key element in identifying a wine region, in this case the climate is relatively homogenous over a very broad area, and thus climate does not provide a useful indicator or discriminator (pp. 31–2). Second, the composition of the soil, in particular *terra rossa* soil, is significant in the establishment of the Coonawarra boundary: '*Terra rossa* soil and the cigar are relevant because they had been seen, historically, as relevant both locally and in the wider community' (p. 30). The applicants to the AAT all, without fail, emphasized in their claims the

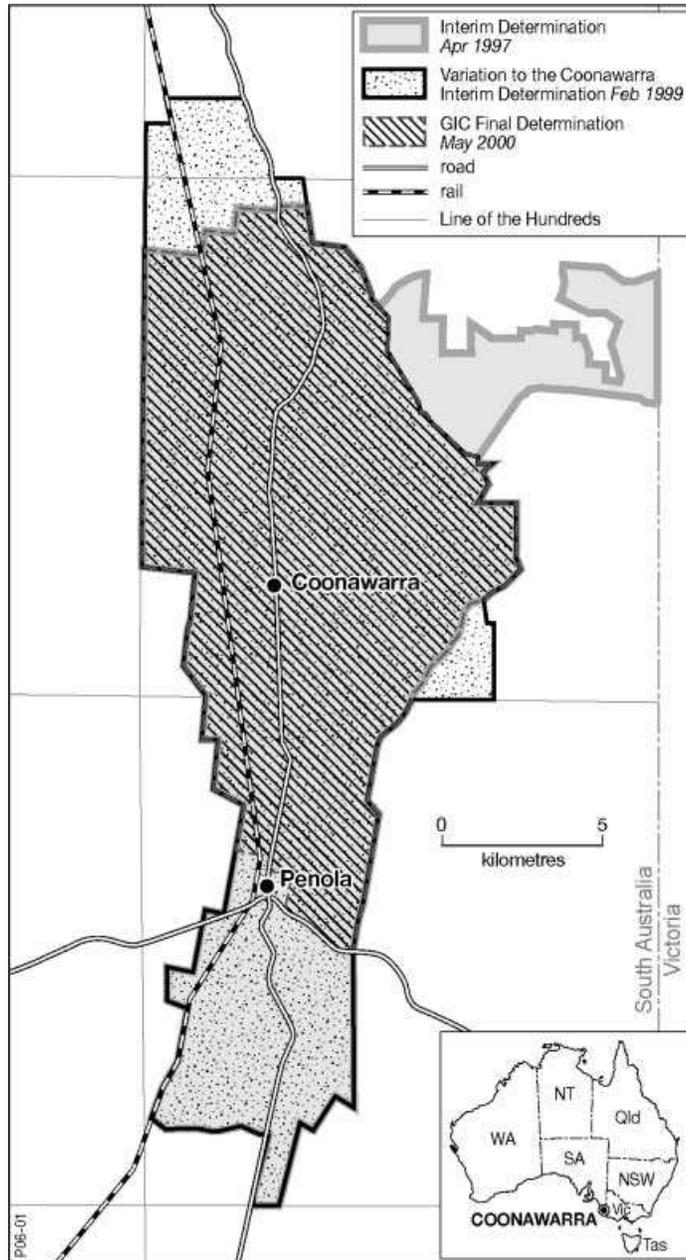


Figure 1 The evolution of the boundary of the Coonawarra region through the GIC process (adapted from Foale & Smith 2004, Figs 2,5).

similarity of their soil to that found on the cigar. The role of the *terra rossa* was seen as central to the making, marketing and the identification of a wine region. Third, despite this, the AAT concluded that the cigar itself is not the ‘Coonawarra region’. The cigar lost

much of its significance following the 1984 decision of the existing producers in the area to accept a larger regional identity for Coonawarra. Clearly, the AAT argued, those vineyards within the two Hundreds at the time of the 1984 resolution must have a strong claim

to be considered to be within the boundaries of the Coonawarra region (pp. 30–1). The 1984 Resolution reflected a widespread agreement among the Coonawarra producers that the viticultural area accepted as Coonawarra extended beyond the area of the cigar (p. 29). Finally, then, in the view of the AAT, and given the inability of the physical criteria to definitively discriminate ‘the region’, history had a critical role in identifying the boundary of the Coonawarra (p. 23): ‘In establishing this particular region the criteria which relate to the history and traditional divisions within the area have been more useful as a means of determining the boundary of a reasonably homogenous tract of land. Further geographical features, consistent with this historical and traditional division have been used to establish a region reasonably discrete from its surrounding areas’ (p. 34). The cultural influence on regionality had won through.

Despite the concerns of Foale and Smith (2004) noted earlier, the AAT also supported the GIC’s comments on proximity as critical criteria for inclusion, although Foale and Smith also note they applied the principle selectively. In the summary of their findings, the AAT (2001: 33) state that:

137. Proximity to this strip of arable soil would be in our view, an important factor in the determination of the boundary. Because of this, we do not consider, at this time, unless an overwhelming countervailing reason was demonstrated that land outside the two Hundreds and not proximate to the topography of the cigar could justify inclusion in a Coonawarra Wine Region.

The AAT then provided a description of where the new boundary of Coonawarra should run (Fig. 2). The effect was to extend the GIC boundary to include the 24 applicants that the AAT found in favour of, as well as any intervening tracts of land, increasing the GI area to ‘a considerable extent’ FCA (2002: 22). The AAT did not exclude any part of the GIC’s Final Determination, and did not seek to define from scratch an entirely new boundary.

Five of the 22 unsuccessful applicants to the AAT then appealed to the Federal Court of Australia (FCA). All five of these applicants

had properties close to the AAT’s boundary, three in the north and two in the west, where the straight lines of the Hundreds had been used by the GIC and the AAT as the boundary (Foale & Smith 2004: 62). As with all the GIC determinations and the AAT proceedings, a number of the parties inside the boundary, including Southcorp, the Coonawarra Grape Growers Association (CGGA) and the Coonawarra Vignerons Association (CVA) argued vigorously against the applicants and sought to preserve the integrity of the existing Coonawarra boundary. The hearings were held in June 2002, and the FCA decision was handed down in September 2002.

Most significantly the FCA was critical of the AAT’s use of history to define the GI, largely because the AAT, in the FCA’s opinion had misinterpreted the wording of the Act under which the GIC operated. In short, historical and man-made elements (such as roads and local authority boundaries) could assist in terms of the name of a GI, but were not applicable to the boundary of the GI which should rely on the physical attributes of the area:

59. The characteristics of wine essentially attributable to the region where the grapes are grown will not be influenced by the location within that region of local government or land survey boundaries administratively fixed for reasons unrelated to soil, climate or other conditions which bear on grapevine horticulture. Whilst boundaries of this kind may have a role to play in the selection of an appropriate name, word or expression to describe a region, to use them to identify the region is likely to introduce a wholly irrelevant consideration. (FCA 2002: 26)

The FCA then returned to the core definition of a region given earlier, and argued that the delineation of the boundary of a region must be based on the central concepts of homogeneity and discreteness of grape growing attributes. The place of history and culture was, in this sense, relegated to the naming of the region and not the definition of the region. Largely on the basis of this interpretation, the FCA found that the five applications before them had to succeed, and ordered that they be included within the final GI boundary. The FCA had

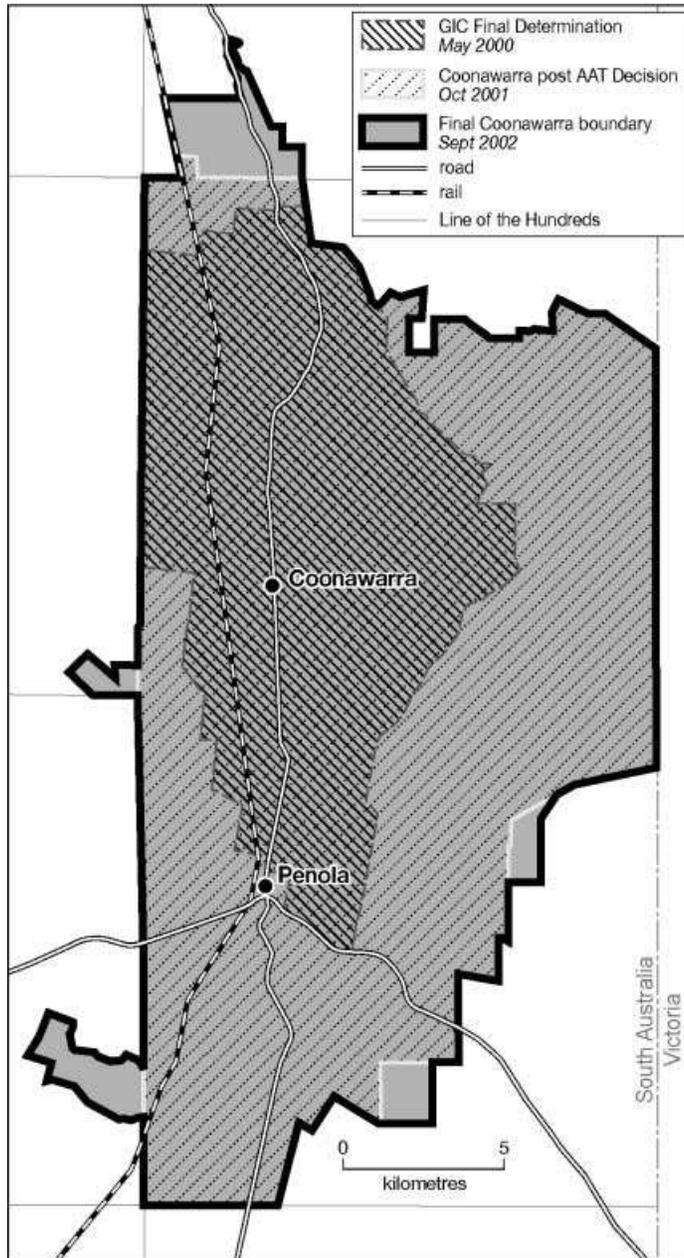


Figure 2 The evolution of the boundary of the Coonawarra region after the GIC process (adapted from Foale & Smith 2004, Figs 2, 6).

no power, though, to revisit either the GIC boundary or the AAT boundary except in relation to the applications before it. In other words, although the FCA found the AAT had wrongly interpreted the legislation and that this had severely impacted on the boundary that had eventuated, they only had scope to

adjust the boundary in relation to the five relatively small areas before them. In particular, they could not revisit any of the other unsuccessful AAT applicants (nor for that matter the 24 successful applications to the AAT).

To recap the history of the boundary of the GI, then, the GIC itself had shrunk the

original Interim boundary with their Interim Variation (though also adding some new areas), then reduced it again with their Final Determination, only to have it significantly expanded again by the AAT (on primarily historical grounds), and marginally expanded again (on physical grounds) by the FCA (which ruled that history should have no significant role to play in the boundary setting process!).

The outcome of this process is perhaps best illustrated with reference to the western edge of the final GI boundary (Fig. 2), where the boundary follows the Hundreds boundary except for two outcrops into areas further west, where two of the successful FCA applicants' properties are located. According to the evidence received by the GIC and the AAT, there is little or nothing to distinguish the two outcrops from the adjacent properties outside the GI, the western boundary of the Hundreds bears no relationship to 'grape-growing attributes', and the 'outcrops' are included purely because they pursued their interests to the Federal Court. Foale and Smith (2004), two Adelaide geographers involved in the process, were less than impressed with the final result:

An arbitrary boundary, based upon the inclusion of a group of vineyards claiming some historical/commercial rights at a particular arbitrary date and within a wider homogeneous environment has little logic, unless other factors are incorporated. The foundation of the viticultural structure is surely the biophysical environment. This has been ignored, totally. It is relatively permanent while vested interest is notoriously fickle, short sighted, self seeking and impermanent (Foale & Smith 2004: 63).

Conclusions

While the process of determining the Coonawarra wine 'region' was initially predicated on the unique physical characteristics for which the region is well known (and particularly the *terra rossa* soils of the 'cigar') the end result of the process for the region was heavily influenced by a blend of historical, political, economic and legal factors. In this sense, ironically, it matches much more closely the European *appellation* than it does the normative Australian GI region.

It is speculation, but presumably if the eventual argument of the FCA had been in place at the start of the GI process for Coonawarra, then a very different approach would have been taken by both the GIC and the AAT to the boundary deliberations with less emphasis on the socio-cultural factors. In this sense the boundary is a temporally contingent one, a point that echoes Foale and Smith (2004), and the principle applies more widely to regions generally: they are products of particular social and economic circumstances at a particular point in time.

Clearly the purity and naturalness of the Australian wine region, exemplified by Coonawarra's *terra rossa*, has been 'contaminated' by a range of social and economic influences through the codification of the region. There is a strong relationship to the physical qualities of place – the debates over soil and climate during the hearings are evidence of this – but the fixing of the eventual boundary of Coonawarra was a result of readings of local history (even if the highest court felt these to be irrelevant), economic pressures, and the constricting nature of the legal process. The 'purity' had given way to 'absurdity'.

This review of the Coonawarra boundary setting process, and the workings of the AWBC more generally, offers several useful lessons. The Coonawarra case illustrates the difficulties that can arise in regional definition when the legislation and regulations can be read as ambiguous or apparently inconsistent. In the case of the GIC process, there was a strongly biophysical focus in the definition of a region itself, but then reference to a mix of social, cultural and environmental factors. This led to differing weight given to different factors at the different stages, although importantly this occurred in a cumulative way. A more explicit attempt to either solely focus on biophysical elements (pursuing the chimera of purity) or to clearly acknowledge historical, economic and political factors in the development of wine regions, should reduce the confusion that occurred with Coonawarra.

If the final result is left to the legal system alone then clearly problems will arise. The Coonawarra case showed that notions of 'geographical integrity' will not necessarily be considered in the final boundary definition

if the courts are called on to decide on the inclusion or otherwise of select properties. Finally, in terms of process, a periodic review would appear sensible, particularly in areas where the wine industry is new and continuing to expand. Such a process would not necessarily revisit previous boundary disputes, but would allow for the inevitable evolution of the different wine regions.

Regional grape grower and winemaker organizations must be centrally involved in the process, as they have been in Australia. But these bodies themselves need to be aware of the limitations and potential pitfalls of trying to define smaller, exclusive units. Hence, despite the obvious commercial advantages that can accrue to producers inside a small area with a reputation for quality (Atkinson 1999), attempts to be too exclusive can lead to costly and perhaps ultimately fruitless legal proceedings. In other words, an emphasis on inclusiveness appears more practical, less litigious and more valuable, especially in cases where smaller regional names have less international recognition. To give one alternative case, the success of the trade marking of 'Gimblett Gravels' in Hawkes Bay in New Zealand offers an alternative route for those lower levels of spatial separation that crave a distinctive place-based identity. This route avoids the need to construct a 'scientifically defensible' notion of geographical distinctiveness and internal homogeneity and highlights the predominately commercial motives that drive such lower-levels of identity construction.

In another sense, though, the debates over particular regional boundaries matter little. As Moran (1993) and Gade (2004) have written, once inscribed, boundaries take on a life of their own and the explanatory circle is reversed – the '*appellation* becomes explanation' – that is the territory and the *terroir* become synonymous. Hence in the Coonawarra case, Wynns Coonawarra (one of the largest producers from the area and with holdings that include a large portion of the '*terra rossa*' soils) highlight the quality-inducing elements of the soil in their advertisements, as a central part of their logo, and on the back label of their bottles (by way of a map of the 'cigar'), despite the fact that their holdings include large areas away from the cigar. In other words, the

complex physical and cultural evidence heard during the extended legal process that set the boundaries of the region is concealed in preference to a perceived much simpler and, as discussed in the introduction, more 'natural' associative relationship between the soil and wine quality.

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Endnotes

- 1 This is a deeply rooted European tradition: Vaudour (2002: 119) notes the '... Roman intuition of an indissoluble bond between vineyard sites and their products'.
- 2 This interview was in the context of the release by the winemaker of three Grenache wines from grapes grown in three different soils. 'What a difference the soil makes' declares the wine writer (Port 2004: 23).
- 3 The argument being that as quantity increases, quality declines, a position that Moran (1993) explains has been refuted in empirical trials elsewhere.
- 4 A subregion must also be a single tract of land, comprising at least five independently owned wine grape vineyards of at least five hectares each and usually produce 500 tonnes of wine grapes in a year. However, a subregion is required to be *substantially discrete* within the region and have *substantial homogeneity* in grape growing attributes over the area (AWBC n.d).
- 5 Both the AAT and the FCA heard much evidence relating to the origins of this soil. It is located approximately midway between the Naracoorte and Cave 'ranges' (30–60 m and 10–20 m relative elevation, respectively). These are fossil coastal sand dunes dated as approximately 750 000 and 665 000 years old, respectively. The Coonawarra 'cigar' is presumed to be a 'degraded and weathered calcrete core of a fossil dune' (Foale & Smith 2004: 43).
- 6 The Hundreds are a basic cadastral and administrative boundary in South Australia established soon after settlement. As the name suggests, they average 10 miles by 10 miles (Smailes 1998).

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