

## INFOCARD ELANBiz

### The Wine Industry in Peru<sup>1</sup>

Last updated April 2020.

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This infocard provides an overview of the wine industry in Peru, as well as its main aspects and requisites for market access.

#### Description of the Industry

The consumption of wine in Peru is 1.8 liters per capita, on a yearly basis, whereas in Argentina, Chile and Europe it is 40, 17 and 50 liters per capita, respectively<sup>2</sup>. Peruvians prefer other alcoholic drinks such as beer and pisco. For instance, Peruvians consume 42 liters of beer per capita.

Nevertheless, **the consumption of wine has doubled in the last 20 years**<sup>3</sup>. Several factors have influenced the growth of the winegrowing market, such as the drive and consumption in Lima and provinces, the expansion of distribution, proliferation of brands across a vast range of prices and the ever increasing trade openness during the last few years, easing market access to European and regional wines.

The first four digits of the Peruvian tariff NANDINA<sup>4</sup> coincide with the European TARIC's, but can vary slightly in the last digits, which results in the same product having different tariff codes as shown below.

<sup>1</sup> The information contained in this infocard is only general. For more detailed info and commercial promotion events, as well as possible business contacts, please contact the Commercial Offices of the Member States and the bilateral Chambers in Lima.

<sup>2</sup> <https://lanocheenvino.com/2018/07/31/consumo-y-produccion-de-vinos-en-peru/>

<sup>3</sup> <https://gestion.pe/economia/consumo-vino-peru-disminuye-mantiene-principal-bebida-importada-134862-noticia/?ref=gesr>

<sup>4</sup> Common Classification of the Andean Community States, with some specifics applicable to Peru.



Code	Name of the product	A/V <sup>5</sup>
22.04	<b>Wines of fresh grapes, including fortified; grape must, with exception to heading 20.09.</b>	
2204.10.00.00	Sparkling wine Other wines; wine must in which fermentation was prevented or arrested by the addition of alcohol.	6%
2204.21.00.00	In containers with a capacity of less than or equal to 2 liters.	6%
2204.22.10.00	Wine must in which fermentation was prevented or arrested by the addition of alcohol.	0%
2204.22.90.00	Other wines	6%
2204.29	<b>Others</b>	
2204.29.10.00	Wine must in which fermentation was prevented or arrested by the addition of alcohol.	0%
2204.29.90.00	Other wines.	6%
2204.30.00.00	Other wine musts.	0%
22.05	<b>Vermouth and other wines of fresh grapes, made with plants or aromatic substances</b>	
2205.10.00.00	In containers with a capacity of less than or equal to 2 liters.	6%
2205.90.00.00	Others	6%

SUNAT – updated on February 2020<sup>6</sup>

## The Wine Market: Evolution and Market Share

Statistics show that provinces such as Chiclayo, Trujillo, Arequipa, Huancayo and Ica are the ones which consume the most wine. Concerning production, the last reports indicate that Peru produces around 40 million liters of wine, each year, in a market that consumes around USD 220 million in that same period. The main vines are: Cabernet Sauvignon, Carmenere, Garnacha and Sauvignon Blanc<sup>7</sup>.

Concerning the **import** profile, Peru imports 8.5 million liters: 37% from Argentina, 25% from Chile, followed by Spain, Italy, France and the United States for the remainder. Malbec leads the list of most imported wines, whereas the total imports can be categorized as follows: red wines 65%, White wine 20% (with Chilean wines leading this category), sparkling wine 11% and rosé wine the rest. The volume of exported wine is far less than the amount imported. Peru only exports around 200 thousand liters of wine<sup>8</sup>.

<sup>5</sup> The tariffs, as they appear in the table, apply to countries who do NOT have preferential trade agreements with Peru. Concerning **countries of the European Union the applicable tariff is 0%**, in accordance with the Trade Agreement between Peru and the European Union, in effect since **01 March 2013**.

<sup>6</sup> <http://www.aduanet.gob.pe/itarancel/arancelS01Alias>

<sup>7</sup> <http://repositorio.une.edu.pe/bitstream/handle/UNE/3445/MONOGRAF%C3%8DA%20-%20VIVANCO%20TINCO.pdf?sequence=1&isAllowed=y>

<sup>8</sup> <https://lanocheenvino.com/2018/07/31/consumo-y-produccion-de-vinos-en-peru/>



### **List of wine providers for Peru in 2018 – per country**

Product: 22.04 wine of fresh grapes, including fortified; grape must, partially fermented and of actual alcoholic strength > 0,5% vol. or added actual alcoholic strength > 0,5% vol.

Exporters	Imported Value in 2018 (in Thousands of USD)	Share in wine imports by Peru (%)	Imported Quantity in 2018	Unit of Measurement
Argentina	15463	40,7	5505	Tons
Chile	8265	21,8	3072	Tons
Spain	6704	17,7	1334	Tons
Italy	4777	12,6	1382	Tons
France	1927	5,1	167	Tons
United States of America	386	1	27	Tons
Portugal	119	0,3	36	Tons
Germany	93	0,2	18	Tons
Australia	87	0,2	12	Tons
China	46	0,1	64	Tons
Uruguay	27	0,1	3	Tons
New Zealand	21	0,1	1	Tons
Austria	13	0	1	Tons
Hungary	12	0	0	Tons
Canada	10	0	2	Tons
South Africa	10	0	2	Tons
United Kingdom	5	0	0	Tons
Brazil	5	0	2	Tons
Israel	2	0	1	Tons

Source: Trade Map

## **Distribution and Trade**

Merchandise enters the country mostly through sea transport. The main entry point is the Callao harbor, whereas the main points of distribution are:<sup>9</sup>

- ✓ Supermarkets
- ✓ Wineries
- ✓ Bars
- ✓ Restaurants
- ✓ Lounges

The following are the most well known wineries in Peru:

- ✓ Tacama: they have varieties such as Carmenere, Malbec, Petit verdot and Tannat.
- ✓ Taberero: varieties such as Chardonnay, Syrah, Cabernet Sauvignon and Malbec.

<sup>9</sup> <https://www.icontainers.com/es/2016/05/31/exportar-vinos-peru/>



- ✓ Santiago Queirolo: the most cultivated vines are Sauvignon Blanc, Malbec, Syrah, Tannat and Chardonnay.

Concerning the commercialization and consumption of alcoholic beverages, the Law that Regulates Trade, Consumption and Advertising of Public Beverages – Law N° 28681<sup>10</sup> establishes the following:

- ✓ The owners, managers, representatives or dependents of authorized establishments to commercialize alcoholic beverages to the public have the obligation to deny entry to minors, not sell adulterated or contaminated beverages, including those that violate sanitary provisions, and displaying the following warnings in visible places: “THE SALE OF ALCOHOL TO MINORS IS PROHIBITED” “IF YOU HAVE DRUNK ALCOHOLIC BEVERAGES, DO NOT DRIVE”.
- ✓ The sale, distribution, supply and consumption of alcoholic beverages to: minors in all type of education or health establishments, whether public or private; venues destined for shows aimed at minors; and people inside motor vehicles or public roads, is prohibited.

## Trade Agreement between Peru and the European Union

The Trade Agreement between Peru and Colombia and the European Union (the “**Agreement**”) has allowed an improvement in tariff access for European wines. The Agreement has been in effect, in Peru, since 01 March 2013, with Ecuador joining in November 2016. The gradual tariff decrease, until reaching zero tariffs, took place during a three year period (five for sparkling wine). **As of 2020, the tariff applicable to wine is 0%.**

Códe	Name of the Product	Trade Agreement EU-Peru
22.04	Wines of fresh grapes, including fortified; grape must, with exception to heading 20.09.	0%
22.05	Vermout and other wines of fresh grapes, made with plants or aromatic substances	0%

Source: Sunat

Likewise, in order to benefit from preferential treatment, the products must comply with rules of origin established in **Annex II** of the **Agreement** and be accompanied by a **EUR 1 certificate of origin**. This certificate grants proof of “originating products” for the merchandise, and that it fulfills working or processing operation requirements for non-originating materials used in the manufactured product [http://www.acuerdoscomerciales.gob.pe/images/stories/union\\_europea/ingles\\_2012\\_06/anexo\\_II.pdf](http://www.acuerdoscomerciales.gob.pe/images/stories/union_europea/ingles_2012_06/anexo_II.pdf)

### **Protection of Geographical Indications (GIs):**

GIs are distinguishing marks which associate quality products of well reknown, **to their locality or area**

<sup>10</sup> Articles 4, 5, 8 and 9 de la Law N° 28681.

**of manufacture**, helping identify and distinguish them in the market.

GIs are protected by intellectual property rights under Title VII of the **Agreement**<sup>11</sup>, whose article 207° establishes *“indications consisting of the name of a particular country, region or locality or a name which, without being that of a particular country, region or locality, refers to a particular geographical area, and which identify a product as originating therein where a given quality, reputation or other characteristic of the product is exclusively or essentially due to the geographical environment in which it is produced, with its inherent natural and human factors”*.

In order GIs of a Party to be **recognized and protected** by another Party, **they must be recognized and declared as such in the country of origin**, with the obligation between the parties to inform the other when the request is denied. The production, processing and/or preparation of the product identified by the GI, relative to the originating products in the territory of a Party, shall be exclusively reserved for the producers, manufacturers and craftsmen who have their production or manufacture establishments in the region of the Party identified or evoked by such indication, according to sub-section b) numeral 1 of Article 210° of the **Agreement**.

The Parties are obligated to protect GIs recognized in Annex III of the **Agreement**, as well as newly added ones, in accordance with Article 209<sup>12</sup>, against:

- All commercial use of the protected GI for identical or similar products, which do not comply with the product specifications of the GI, or so long as such use takes advantage of the reputation of the geographical indication.
- Other unauthorized uses which create confusión.
- Misuse, imitation or evocation for products of said genre.
- Any other false or misleading indication, concerning the source, origin, nature or essential characteristics of the product, written in the container, packaging or advertising material relative to the products in question, capable of creating a false notion of its origin.
- Other practice which may induce the consumer to error concerning the true origin of the product.

Thus, according to sub-section c) numeral 1 of article 210 of the **Agreement** *“in case of geographical indications that identify wines, aromatised wines or spirit drinks, any misuse, imitation or evocation, at least, for products of this kind, even if the true origin of the product is indicated or if the protected name is translated or accompanied by an expression such as "style", "type", "method", "as produced in", "imitation", "flavour", "like" or similar”*.

The list of geographical indications for agricultural and food products, wines, spirits and aromatized wines, which the Parties agree to protect, are listed in Apendix I of Annex XIII of the **Agreement**<sup>13</sup>. The following list only takes into account the IG of wines:

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<sup>11</sup> [http://www.acuerdoscomerciales.gob.pe/images/stories/union\\_europea/ingles\\_2012\\_06/07\\_titulo\\_VII.pdf](http://www.acuerdoscomerciales.gob.pe/images/stories/union_europea/ingles_2012_06/07_titulo_VII.pdf)

<sup>12</sup> Article 209 of the Trade Agreement between Peru and the EU – *Addition of New Geographical Indications*

<sup>13</sup> [http://www.acuerdoscomerciales.gob.pe/images/stories/union\\_europea/espanol\\_2012\\_06/anexo\\_XIII.pdf](http://www.acuerdoscomerciales.gob.pe/images/stories/union_europea/espanol_2012_06/anexo_XIII.pdf)



<b>Geographical Indications in the EU for wines and aromatized wines</b>	
<b>Geographical Indications</b>	<b>Product</b>
<b>Spain</b>	
Alicante	Wines
Cataluña	Wines
Cava	Wines
Empordà	Wines
Jerez – Xérès – Sherry	Wines
La Mancha	Wines
Málaga	Wines
Navarra	Wines
Priorat	Wines
Rías Baixas	Wines
Ribera del Duero	Wines
Rioja Valencia	Wines
Rueda	Wines
Somontano	Wines
Utiel-Requena	Wines
Valdepeñas	Wines
<b>France</b>	
Alsace	Wines
Anjou	Wines
Beaujolais	Wines
Bordeaux	Wines
Bourgogne	Wines
Cadillac	Wines
Chablis	Wines
Champagne	Wines
Châteauneuf-du-Pape	Wines
Côtes de Provence	Wines
Côtes du Rhône	Wines
Côtes du Roussillon	Wines
Fronton	Wines
Graves (Graves de Vayres)	Wines
Haut-Médoc	Wines
Languedoc (Coteaux du Languedoc)	Wines
Margaux	Wines
Maury	Wines
Médoc	Wines
Moselle	Wines
Pommard	Wines
Romanée Saint-Vivant	Wines
Saint-Emilion	Wines



Saint-Julien	Wines
Sauternes	Wines
Touraine	Wines
Val de Loire	Wines
<b>Italy</b>	
Asti	Wines
Bardolino (Superiore)	Wines
Brunello di Montalcino	Wines
Chianti	Wines
Conegliano – Valdobbiadene – Prosecco	Wines
Franciacorta	Wines
Lambrusco di Sorbara	Wines
Lambrusco Grasparossa di Castelvetro	Wines
Montepulciano d'Abruzzo	Wines
Soave	Wines
Toscana/a	Wines
Vernaccia di San Gimignano	Wines
Vino nobile di Montepulciano	Wines
<b>Cyprus</b>	
Κοσμανδάρια (Commandaria)	Wines
<b>Hungary</b>	
Tokaj	Wines
<b>Portugal</b>	
Douro	Wines
Porto, Port u Oporto	Wines
Vinho Verde	Wines
<b>Slovak</b>	
Vinohradnícka oblasť Tokaj	Wines

## Access Requisites

**Market access requisites for wine imported from the European Union include sale taxes, sanitary registration and labeling requisites.**

### 1. Sale Taxes:

- **Value Added Tax (IGV)**<sup>14</sup>: 18%
- **Excise Tax:** it shall depend on each tariff heading. The Law of Excise Tax establishes a classification

<sup>14</sup> Taxable base: Customs Value plus tariff duties and other applicable taxes on imports.



for alcoholic beverages according to its alcoholic strength, which shall be alternatively subject to excise tax collection based on fixed amounts or relative to the price<sup>15</sup>.

- **Advance Payment** (It's a VAT advance). For first time imports, it will be 10% the CIF value of the products. Subsequent imports will be subject to a 3.5% rate. Consequently we recommend a low value import the first time, considering it will be initially levied with a 10% tax.

## 2. **Sanitary Registration:**

In order to be imported and commercialized in Peru, wines originating from the EU must have a sanitary registration. Oversight of the imported products is managed by the General Directorate of Environmental Health – DIGESA. First, the products must be registered or re-registered with the Sanitary Registration of Food and Beverages for Human Consumption<sup>16</sup>. In order to obtain the Sanitary Registration the supplier (exporter) has to send the analysis results of the product, Certificate of Free Sale, and label to the importer, as well as fulfill all the requisites concerning the administrative procedure. Likewise, if the product requires it, the supplier will have to detail special storage conditions. For further details visit the following link:

<http://www.digesa.minsa.gob.pe/expedientes/detalles.aspx?id=28>

### **Microbiological and physicochemical Analysis Results**

The results of the microbiological and physicochemical analysis, to be submitted for Sanitary Registration, must be issued by any of the following:

1. A quality control laboratory owned by the Company, that is, if the Company has a lab the analysis performed by it is considered valid for the sanitary registration.
2. An accredited laboratory in Peru.
3. A laboratory accredited by an international organism party to the Mutual Recognition Arrangement of ILAC (International Laboratory Accreditation Cooperation) or (Iter American Accreditation Cooperation)

Concerning analysis certificates issued by foreign entities, these shall have a maximum validity of one (1) year, and must be valid throughout the duration of the administrative procedure.

ILAC takes part in the certification of compliance assessment organisms, including calibration labs (ISO / IEC 17025), testing labs (ISO / IEC 17025), clinical labs (ISO 15189) and inspection organisms (ISO / IEC 17020); on the other hand, IAAC is the association of accrediting organisms and other organizations

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<sup>15</sup> Fixed amount per liter (fee) or according to value based on sale's price (fee), whichever one is greater after both methods are applied. Wines with an alcoholic strength between 6° and 20°, are subject to a specific fee of PEN 2.50 per liter or a fee of 25% of the price of the product. Beverages with an alcoholic strength greater than 20° shall be levied with a fixed fee of PEN 3.40 per liter or a fee of 25% of the price. These percentages and amounts may vary frequently, thus we recommend checking this information before planning an import <http://orientacion.sunat.gob.pe/index.php/empresas-menu/impuesto-general-a-las-ventas-y-selectivo-al-consumo/impuesto-selectivo-al-consumo-empresas/3119-05-calculo-del-impuesto-isc>

<sup>16</sup> See Infocard ElanBiz Sanitary Registration of Food and Beverages in Peru.

interested in Compliance Assessment in the American continent. See:

<https://www.inacal.gob.pe/acreditacion/categoria/reconocimiento-internacional>

### **3. Labeling requisites**

The provisions established by article 117 of Supreme Decree N° 007-98-SA are applied, Peruvian metrological regulation of labeling on packaged products and regulation CODEX STAN 01-1981. The adhesive printed in the bottles must include the companies information: Company name, Tax ID number (RUC) and phone number.

A list of ingredients and additives, used in the processing of the product and storage conditions must be included in the label. Likewise, in the case file submitted through the Single Window of Foreign Trade – VUCE, you shall find a format containing a model for labeling.

DIGESA issues a sanitary registration number, which must be printed in each bottle (adhesive is 2 cm. x 1 cm.).

A warning indicating “DRINKING EXCESSIVE ALCOHOLIC BEVERAGES IS HARMFUL” in a designated space no less than 10% the total area of the packaging, wrapping or similar, must be included in clear and visible characters; the same goes for all the labels on containers used for the commercialization of any alcoholic beverage. Said phrase shall be displayed in the front or back of the packaging and shall be printed in clear and visible characters of easy visibility for the consumer<sup>17</sup>.

## **Recommendations for European Companies**

Next, we include some recommendations for European wine manufacturers:

- ✓ Carry out a prior market study by analyzing, among other aspects, product price in the market, international transport costs, and others which may apply.
- ✓ Hire a local agent or representative for both the completion of administrative procedures before **SUNAT** and **DIGESA**, as well as for commercial activities.
- ✓ The most appropriate way of gaining entry to the Peruvian market is through a distributor as exclusive representative of the Brand, considering they already have a sales team and organized supply routes.
- ✓ With the gastronomical boom the inauguration of bars, lounges, and restaurants has increased. These are opportunities to create alliances or commercial ties to promote the desired brands.
- ✓ If it's your first time making an import, authorities will levy your products with a 10% on the CIF value, as an advance VAT. In subsequent imports, they will be levied with 3.5%. Thus it is

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<sup>17</sup> Article 7 of Law N° 28681 and art. 18 of Supreme Decree N° 012-2009-SA, Rules of Procedure of Law N° 28681.



recommended to import low value products first. es la primera vez que se realiza una importación, la retención por concepto de impuesto de

## Main Industry Events

- ✓ **EXPOVINO:** it's the most important wine growing event in Peru and one of the most important in South America. With massive attendance, it can gather around 50,000 visitors in its four days of exposition, with 200 wineries participating in the event. The event is organized by Wong Supermarket and gathers over 150 wine brands from different wineries. It usually takes place between September and November.
- ✓ **ALTA GAMA – WINE FEST:** *Distribuidora Almendariz* organized the First Luxury Wine Fair in Lima (Alta Gama Winefest 2010) which gathered more than 50 of the best wineries in Argentina, Chile, Spain, France, etc. The aforementioned parties participate with their oenologists and Export Managers, who personally display the virtues of their best wines.
- ✓ **EXPO DRINKS & DELI FOOD:** exhibition specialized in wines, liquors, and gourmet food, which has reached its third edition in order to bring the best products of this sector in the national and international scope, with the most important companies in the market participating. It shall take place in Lima on 07 – 08 August 2020. <http://www.expodrinksdelifood.com/>

## Useful Links

- **Ministry of Foreign Trade and Tourism (MINCETUR)**  
[www.mincetur.gob.pe](http://www.mincetur.gob.pe)
- **National Superintendence of Customs and Tax Administration – SUNAT:**  
[www.sunat.gob.pe](http://www.sunat.gob.pe)
- **Common classification, Trade Agreements – Tariff Exemptions, Import and Export Statistics, Market Access:**  
[www.aduanet.gob.pe](http://www.aduanet.gob.pe)
- **National Institute for the Defense of Competition and the Protection of Intellectual Property (INDECOPI):**  
[www.indecopi.gob.pe](http://www.indecopi.gob.pe)
- **General Directorate of Environmental Health (DIGESA):**  
[www.digesa.minsa.gob.pe](http://www.digesa.minsa.gob.pe)

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