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The French Wine "Appellations d'Origine Contrôlée" and the Virtues of Suspicion

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There is something highly paradoxical about the French wine Appellations d'Origine Contrôlées (AOCs): the more they are considered to be suspect, the more they expand to other countries and products! Since their invention they have been suspected of not conveying reliable information. At the same time, supporters of quality wine have prayed for the development of a quality wine market and seen the suspicions concerning them as a threat that these actors have collectively tried to answer. But neither the accusation nor the defence has managed to close the debate. Accusation after accusation, the assessors acknowledged as able to define quality have changed, as has quality itself and the role given to AOCs. Far from sweeping away the old procedures, the new solutions have cohabited with them, transforming the wine market into a complex market hosting hundreds of thousands of brands and a variety of uses of quality signs by wine drinkers. Finally, contrary to most economists' fears, neither AOCs nor quality itself work by imposing themselves on the market actors. The greatest strength of AOCs may not be an ability to deceive consumers, but their capacity to raise doubts and to trigger considerable efforts by their defenders to quieten them.

Keywords wine market organization; pragmatic sociology; credibility; confidence; geographical indications; appellation d'Origine Contrôlee

The French Wine Appellations d'Origine Contrôlées (AOCs)

Although they are claimed to be closely related to local and sustainable development—two very fashionable concepts—geographical indications (GI) are expanding slowly and with difficulty. Of course, they represent a new notion of property that is not so easy to incorporate into a country's rights. But above all, they are suspected of being a hindrance to free competition. Stormy debate opposes countries which either support or reject the enlargement of the Geographical indications protection area through international trade agreements such as the Agreement on Trade-related Aspects of Intellectual Property Rights (Josling, 2006). Apart from the GIs' difficulties of adjusting to the general intellectual property or trademark protection systems, the main argument against them is related to their intrinsic economic power and value. These issues have been extensively discussed; they are suspected of hindering competition by empowering specific products with a special additional value derived from their labelling (Addor and Grazioli, 2002; Charlier and Ngo, 2007; Handler, 2006; Josling, 2006; Moschini *et al.*, 2008).

Curiously enough, at least in the case of wine Controlled Appellations of Origin (AOCs), in countries already using GIs (France, Spain), they are suspected of

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lacking credibility, of being devoid of any power and unable to differentiate between products. And this suspicion is not new; it has existed almost since their invention! What is the purpose of the international debate if GIs are not able to achieve credibility? Is there any risk of hidden protectionism? And are they really able to sustain rural development? Are AOCs, not to mention GIs, not a mistaken concept?

In order to clarify this confusing situation, this article proposes to follow and analyse the controversies raised by the Controlled Appellations of Origin among their users, which have accompanied their creation and development in France. As France is the country with the longest experience and the greatest number of AOCs, we can assume that this case is well suited to understand the difficulties linked to their actual use. Instead of studying GIs from a formal, economic or legal point of view, by trying to induce their properties and effects from their nature as information signs, I propose to study them from an empirical point of view. This enables to provide quite a different account of AOCs, their aims, failures and successes.

Like any study of a controversy, this article does not try to establish from an epistemological point of view who is right or wrong, by stating that AOCs are either reliable or else economic hindrances—information or sociological illusions. Instead, it shows why and how people become suspicious and what could be undertaken to try to put an end to that suspicion.

The article is based on several different wine market field studies: a study of the Spanish wine market organization in the Ribera Del Duero (Teil, 2004); a study of French and international wine critique and wine lovers (Teil, 2001); a study of the archives of the French national institute for the Appellations of Origin; and, lastly, a study of the wine differentiation procedures in France (Teil *et al.*, 2007). As a consequence, I draw on five types of data: text analysis, interviews (hundreds of long interviews with producers, sellers, critics, users and, more generally, of all market intermediaries committed in one way or another to the quality wine market, that is, the production, consumption and broad retailing of wines), observations, participant observation, and even "breaches" (Garfinkel, 1967). Methodological difficulties arising from the study of the wine market and especially of taste have been presented and discussed elsewhere (see Teil, 2004).

This article starts with the efforts of Joseph Capus, a French Senator who, after a series of failures, achieved the enactment of AOCs. We then follow the controversies they generated, with arguments for and against them. This quality labelling fuelled a major debate over quality, and the article describes three successive phases of responses that can be distinguished since the birth of AOCs, aimed at making the differences between wines ever more visible or reliable. The intention here is to establish not whether the on-going accusations were and still are valid, but rather the grounds on which the actors made them and, where relevant, how others tried to counter them. Thus, it is an article not on the sociology or economics of taste but on pragmatics (James, 1968; 1996) applied to the wine market.

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The three main sections of the article roughly correspond to the successive devices invented to enable drinkers to know the difference between wines, from the introduction of the notion of quality to the recent controversy on the absence of marketing in small wine enterprises. The history is not closed but we will stop at the turn of the twenty-first century, before the last reform of the Institut National des Appellations d'Origine (INAO), the French Institute in charge of AOCs, in 2007.

Signs for a Quality Differentiation

After the phylloxera crisis that destroyed many vineyards in the late nineteenth century, and during which producers sold and consumers bought all sorts of drinks called "wine", a number of measures were considered to protect consumers from unscrupulous sellers, and producers of good quality wines from the consumers' lack of ability to discriminate quality.

By the time the vineyards were reconstructed some features had changed, and new wines were becoming known. They were produced in new countries unknown to the phylloxera bug-Australia, South Africa, Chile -and sold as quality products: real wine, made of real grapes. The new winemakers labelled them with French, Spanish, Portuguese, or Italian names such as Bordeaux, Porto, Champagne, Sherry, etc. They were interpreting these wines as the result of a "production recipe": a type of grape and a winemaking process. But these wines were not from the famous vineyards the names referred to. The original producers regarded them as a threat because they failed to attain the same quality level or even to show the same taste style as most of the former French, Spanish, Italian or Portuguese products, even though the same recipe was used. They therefore feared that these different or sometimes even lower quality products would sap the fame of their own wines or at least detract from the taste standard that distinguished them.

For administrators and members of parliament, the market had reached an archetypical Akerlof's lemons situation (Akerlof, 1970): buyers were no longer able to distinguish between good and bad wines, and producers had no means to differentiate their good wines from the bad wines and the copies. As a result, the market would not be able to provide support for the recovery of former fame. To break this vicious circle the government, along with private and institutional actors, created a series of "signs of quality" to enable consumers and producers to know the difference between wines and to have that difference recognized.

As Gilbert Garrier (1995) notes, for a long time the different crises or dysfunctions in the wine market pointed to the quality of wine as both a cause and a remedy. From the nineteenth century more and more initiatives were taken in this respect, namely the successive classifications of Bordeaux wines (Markham, 1999), or the gradual legal protection against fraud and consumer deception, ² and the multiplication of brands. While it was normal for fraud and bad quality to be penalized by the market, it was also unjust and dangerous for good wines to suffer on account of "lemons". By indicating quality, consumers would more easily

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identify good producers and facilitate the sale of their production. This would symmetrically avoid repeated disappointments among consumers, which tended to cause the demand to collapse.

In 1905 vineyards known to produce quality wines were delimited by the local administration and called Appellation d'Origine (Origin Appellation) vineyards, based on the origin of the best wines as acknowledged by professional retailers. But these early quality signs raised strong criticism. As every producer had an interest in belonging to a quality area, the signs were said to be "political" and to reflect the political efficiency of local authorities and interests more than the actual quality of the wines.

In 1919 a new law was passed to address the problem by turning towards independent judges: the courts. They had to solve the contested cases left by the 1905 law, grounding their judgements not in quality itself, but in a set of pragmatic causes of quality: "the constant, fair and local practices". Yet the courts were unable to define the good practices that made quality wines.

In 1935 a new law instituted the AOC, which included professional expertise in the definition of quality. To be recognized as such, the quality of the wines had to proceed from natural and human factors and result in "particular characteristics" as described by the best experts: the producers of the AOC themselves. The natural elements were pedoclimatic characteristics, while the human ones consisted of viticulture and winemaking techniques. They resulted in constraints and limitations in the means allowed to make the wine, such as the yield, the pruning of vines, and the alcoholic degree, which amounted to a prohibition on low quality vine varieties. All these means were *controlled*, as were their resulting wines, through a series of analytical chemical tests designed to detect defects like acetification, for instance.

Based on geographical delimitation and production constraints, AOCs aimed for a higher quality than table wines. But, although it was the result of an obligation of means and an assessment process, quality itself was not defined; it was simply framed, and allowed for changes in ways of doing things:

Many see tradition as total respect for age-old practices or processes which neither time nor humans have altered [...].

But that can only be the folklore side to tradition, celebrated nowadays in the lavish and solemn rituals of the many wine-related brotherhoods that lend a picturesque aspect to wine festivals.

Seeing tradition in this way amounts to refusing any evolution driven by the refinement of scientific and technical knowledge, and to denying certain obvious facts concerning the reality of the notion of quality during a certain period. [...] As humans evolve, quality can only evolve with them(Institut National des Appellations d'Origine, 1985).

Since 1935 AOCs have been particularly successful. Many consumers agreed with the AOC clear-cut ranking of Bordeaux, Burgundy, then Côtes du Rhône, etc.,

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and see the AOC label as a practical tool allowing them to make good choices without having to struggle with the difficult question of the wines' quality. For producers, labelled wines can fetch higher prices. Consequently, the volumes of AOC wines have grown steadily for decades. But along with this success, these labels have constantly triggered strong criticisms as well.

Both Judge and Judged

Originally AOCs were suspected of not judging a result and only of indicating a "potential" quality. In 1967 a yearly *ex post* tasting of AOC wines, which was already quite common but not compulsory, was added to the series of constraints listed in the denomination decree. The producers performed this certification tasting. As they were considered to be the best experts, and were the proprietors of the AOC, it was their interests to strictly control the wines' quality. But although this certification tasting could assess the effective quality of the AOC wines, the evaluators were both judge and judged. The credibility of their assessment was therefore dubious.

Brands had an interest in claiming to be of a high quality—whether they actually were or not. Once their quality was acknowledged, they would try to take advantage of it by lowering the quality level and raising their prices—sometimes even "forced" to do so by the wish not to disappoint their customers:

-What happens with brands, with red wine [in particular] is that they deteriorate a lot. There are brands that are great and when they attain a certain reputation, unfortunately they go down. [...]

-Why do good brands always deteriorate?4

Very well-known brands are promoted a lot. I believe that if there's a strong demand for a certain brand, it has to increase its production and sometimes that production exceeds the possibilities [of production]. So, we can assume that they mix wines or that they bring wine from another place or ... If there's a huge demand, we can assume that they can't maintain this level of quality. That's what I think, but I could be wrong. [...] I'm referring to brands that become fashionable(Interview with wine drinker RL, p. 36).

The collective vigilance of the AOCs has not always been seen as capable of preventing such harmful strategies for their claim to signify quality.

Ribera puts wines that have been tampered with into *crianzas*. This is what must be denounced. Don't you agree? And everybody keeps quiet because they don't want enemies(Interview 2 with wine drinker LT, p.21).

This naturally resulted in a suspicion of fraud, or of quality deterioration, not only among buyers but also among producers who readily reported suspect events,

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with a view to stepping up pressure on the collective commitment to a good quality production.

Putting an End to Suspicion: The Wine Critique 6

While producers could claim to be the most knowledgeable experts when it came to their wines, other experts, professionals in the larger wine market, could claim to have broader expertise, an ability to compare the relative qualities of wines, and therefore a proficiency to assess the credibility of the AOCs. Wine brokers, retailers, wine lovers, journalists: all were looking for good quality wines and supporting their development. Convinced that the reliability of the quality labels was the keystone for the quality wine market, they tried to help buyers to distinguish between the true and the false, real quality and empty claims, selfish manoeuvres and honesty, and started to publish their own wine selections. Later on, these were enriched with their tasting notes and commentaries. Guidebooks and wine magazines, which proliferated in the 1980s, assessed brands, cellars, winemakers, and labels. Journalists were also quick to denounce all sorts of fraud and distortions in the wine market (Renvoisé, 1996; 2004).

From the late 1960s onwards, a collective formed by all these wine critics dedicated to the evaluation of the wines started to emerge. Critique confirmed quality claims and strengthened their power of conviction and the fame of their brands. The assessment task they collectively performed favoured the development of competition for excellence in quality. A hierarchy of prices often supported the hierarchy of qualities: better wines could be sold at higher prices.

It is logical for the best wine to be more expensive, or there would be no point in making a better wine. [...] Moreover, the high price of quality, by reserving the product for an elite of demanding connoisseurs, contributes towards its prestige and places a barrier against bad taste [...] The high price protects great wine and prevents it from being demeaned by forcing it to be pre-eminent(Peynaud and Blouin, 1980).

Although they used to underline the good bargains and fair prices of certain good wines, critics agreed that better quality had to be sold at higher prices:

Cheap good wine is a myth. Irrespective of the buying channel, it is an illusion to think that one can find a good local wine that is pleasant and has strong characteristics, especially a VDQS or appellation contrôlée, for less than 15 francs. One has to understand that to make a bottle of wine, apart from production costs, which increase every year, and the recouping of equipment, there are breeding costs [...], conologists' fees for the different analyses, the agent's commission [...], expenses incurred by bottling, corking, labelling, packaging, transport, the retailer's profits [...] and, finally, VAT. Clearly, not much is left for the wine grower who produced the wine and who relies on favourable climatic conditions(Renvoisé, 1996).

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Thanks to critique, the quality strategy could efficiently lead to economic success. The number of wines engaged in a quality strategy within the AOC increased, largely outstripping the "minimum" constraints stated by the AOC. The fame and the prices of the brands pertaining to an AOC contributed to establishing its reliability as a quality differentiation sign, which clearly drew a line between quality and table wines.

As the quality differentiation strategy developed, the number of quality evaluation procedures increased: wine contests, critics' selections, and guides flourished, not only in France but also in countries with a large demand like the United Kingdom and the United States.

However, like all critiques, these quality assessment procedures did not agree upon the quality of the wines. The scores of different guides were not at all correlated (Ginsburgh, 1995; Teil, 2004). There was consequently no collective agreement; on the contrary, endless controversies raged within the critique about quality and the best wines. As the number of critics grew, the choice of a good expert required a deeper analysis of the reliability of his or her taste. Denunciations of biases in judgement or lack of proficiency were more and more frequent:

Parker is truly a calamity whose influence is colossal. This American has the huge shortcoming (quality?) of having no rival who has ever come anywhere near his inordinate fame. It is improbable and even shameful that a single man can have such a strong influence on the French wine industry, not only on prices but also on the aesthetics of wines that he pushes towards a form of standardized power and vulgarity. SCANDALOUS!!—Furthermore, he has such an impact on the prices of the wines he likes that they become totally inaccessible, not only because of the insane demand that he generates but also due to the resulting speculation. His stupid scores of 100% are grotesque and merely illustrate this character's conceit. A typical example of someone to get rid of (Durand, 1998).

The critics' claims to be the most reliable increased. The more important critics appeared to be, the more they were asked for assessments, and the more samples they received without even asking for them. With this growing competition among the critics themselves, they had to convince their readers that theirs was a good if not the only reliable judgement about wine.

Most of them carefully avoided the question of defining quality. In fact, each attempt at a definition could be interpreted as signalling the critic's "particular" taste, and thus of reducing their "objectivity" and impact. A simple strategy consisted in merely asserting their own impartiality: "the guidebook that tells the truth", *Guide Dussert Gerber (First edition in 1980)*. But more arguments were often added in order to demonstrate their professionalism. They usually claimed to have sound professional recognition: appearance in the *Wine Who's Who*, a wine master award or membership of well-known tasting juries. These professional

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qualifications were often completed by the demonstration of their own "power": the fact that producers took their advice into account; or the number of sales of their books—as in the phrase "over 350,000 copies sold" on the *Guide Dussert Gerber* 92 — or even their impact on drinkers:

With twenty years of experience in tasting, José Peñín is currently the most well-known creator of currents of opinion in the wine world, and the specialized journalist who's been around the longest(Peñín, 1998).

But these arguments could also be interpreted as simply showing a capacity to make oneself unavoidable or to persuade—which, as everyone knows, consists in making others believe rather than in sharing the truth. Like other quality signs, critics were not unanimously seen as liable. Some wine drinkers wavered between journalists and professionals, others preferred more personal experts, while others opted for a more unanimous opinion, reputation. Drinkers who took note of the critics strove to distinguish between them and to assess their credibility. But the internal controversy among critics about quality appeared to support its denunciation as a social characteristic: the competence of some if not all critics was suspected of being related only to their capacity to organize social networks. The lack of quality definition could also serve the accusation that critics interfered with the market (Ginsburgh *et al.*, 1994). An economist tried to correlate prices and a set of renowned critics' scores, and concluded as follows from the poor results he obtained:

If public prices are real indicators of quality, which we have every reason to believe they are, then a little extremely simple econometrics is worth as much, or more, than the opinions of the most renowned experts(Ginsburgh, 1995).

If the number of wine critics' books can be seen as an indicator of the importance buyers ascribed to them, then we can infer that the critics' efforts helped the credibility assessment of the quality signs in spite of this economist's conclusions. Yet their credibility claims did not end with suspicion; they could even be the basis of a social interpretation of quality.

To maintain a market for quality wines, it was necessary to parry the accusation of "sociologism" that tended to show that the quality of wines was simply an illusion constructed by the producer, that wine prices were pure speculation, that critiques were useless, and that drinkers cared only about social distinction.

Looking for a Definition of the Notion of Quality

A means to avoid the sociological interpretation of quality was to make the link between the natural and human factors of the AOCs and their quality more explicit.

Some supporters of wine quality differentiation turned to scientific research, with the twofold aim of demonstrating the link between signs and quality, and hunting down signs of opportunistic behaviour.

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Studies by the French National Institute for Agronomic Research, in particular, tried to test this link by looking for a relationship between the land, practices, and signs of quality. They recorded a large number of pedological, agronomical, meteorological and human factors, without ever managing to distinguish qualities or reproduce hierarchies. All were pertinent factors, but none fitted as a stable and reproducible cause for quality.

This recourse to research was accompanied by an effort to define quality, reported in Emile Peynaud's book Le gout du vin. It led to a proliferation of proposals:

[According to Larreau], "quality is a concept that simply indicates a consumer's preference for a product, influenced by a fashion or propaganda." [According to Debry], "quality is defined by the gratifying power it represents for the body" (Peynaud and Blouin, 1980).

The proposals triggered new controversies. Is quality only physiological? If it is a consumer's preference, then who is the consumer? To avoid this type of debate, the meaning was broadened—to the point of becoming tautological:

A lot has been written on quality, first to try to define it. The same idea is found with different authors: "quality is noticed rather than defined" (Pisani); "The quality of a wine is experienced rather than proved" (Poupon); The Americans and Italians express it in the same way [...]. A very simple and very clear, obvious, definition is the following: "The quality of wine is all its qualities, that is, its properties that make it acceptable or desirable" (Peynaud and Blouin, 1980).

Quality did not allow itself to be trapped in a general definition, valid for all wines. Authors like B. Paumard tried to refine the definition by relating it to narrow categories of wines. But quality was soon watered down in multiple categories of wines:

- -"Wine expresses touches of Madeira, vermouth, walnut. Unprotected, that is, left in contact with the air before or after fermentation, the wine has become oxidized. [...]
- -You notice an oxidized smell
- -Negative on a wine of the latest vintage or a vine that is supposed to develop fresh fruit aromas
- -Negative on a young terroir wine
- -Negative on an mature terroir wine
- -Neutral on a very mature terroir wine
- -Negative on a high quality young oak-aged wine

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-Neutral on a high quality mature or very mature oak-aged wine

-Neutral on a traditional wine with a tendency to become oxidized, such as yellow wine, natural sweet wines(Paumard and Millet, 2000).

As for attempts to define wines in terms of their origin or production process, they simply multiplied the factors of quality and the characteristics of wines, and thus refined their classification without managing to rank them. Even yield, which in France was a subject of some degree of unanimity, was no longer seen elsewhere as a factor of quality.

Turning towards wine usage and consumption, quality also spread in an endless list of contextual factors:

We concluded that, at least for red wines, the air pressure had an effect on the taste: high pressure improves the taste and low pressure deteriorates it(Ewing-Mulligan and McCarthy, 1997).

and was diluted in the conditions of consumption, as described in *Le vin, mode d'emploi* by Hugh Johnson, where the author explains how one should choose a wine:

The occasion? A family meal, a business lunch or an evening party? The atmosphere? Do I feel extravagant? Do I want something original or something safe? Budget?'(Johnson, 1985).

Efforts to define and delimit quality invariably caused it to expand. Neither the quality nor the qualities of wines could unanimously be stated, coordinated or ranked. They always depended on the wine, the moment, the person, the theory, etc. Quality required multiple signs to be differentiated without being reduced; it also required the description of multiple, constantly updated and renewed theories, points of view and methods.

Getting Rid of the Signs

Despite market professionals' efforts, the credibility of the signs could never be unequivocally proven. Even worse, any attempt to demonstrate reliability could appear as suspicious. Because no definition of quality could be stabilized, its assessment required guarantees whose credibility required guarantees that again required new guarantees. The search for guarantees was endless and was prevented from ever culminating in the search for credibility.

A new idea arose: getting rid of the signs by transforming wine drinkers into expert amateurs, so that they would be able to appreciate quality on their own, without having to rely on any quality sign:

While good wines refine the consumer's taste, consumers also help, through their well-advised choice, to enhance the quality of wines. Another mission is added to the multiple functions of oenology, that

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of making wine better known so that it can be better appreciated (Peynaud and Blouin, 1980).

An injunction was made: consumers had to try to validate the claims of the quality of the wines they bought without relying on a third person or information source. They were no longer to be "drinkers of labels" who relied on signs; they had to acquire their own know-how needed to evaluate the quality of wines. The "drinker of labels" was described as someone who derived satisfaction from the sign alone and not from the quality of the wine, just like the snob, the one who wanted to signify his or her social status through consumption, or to usurp that status by imitating others' consumption:

The connoisseur

Everybody has one in their family or among their friends. At the wine festival, the Langon fair, at Vinexpo or at Saint-Vincent bourguignonne, his behaviour is always the same: a quick look around and off to the prestigious appellations or the grand crus.

From the word go his aristocratic taste buds scorn the "little" St. Emilion, the "little" Pommards. For him, a Médoc is beneath a Haut-Médoc, which, by definition, could never rival a Pauillac. He is imperious: "I'll only taste two or three, but the best!"

He knows wine, the vintage he has in his glass. Sometimes his descriptive verbiage starts before the first sip. He orders you to appreciate it. What an excellent salesman he'd be in a supermarket!

Promoting things that are already successful is his vocation. Make him taste one of your discoveries, a wine-lover's wine, and he'll condescend to finding a few merits but ... but ... "it's like a Château X with less body" or "like a Clos Y but more sour". You'll never catch him off balance; he knows everything, at least everything that's considered sacred. He's the "drinker of labels" (http://www.75cl.com) [May 2002].

Unlike these "social" drinkers, "real amateurs" had to cast aside signs and try to become competent by learning about ways of making wine, wine growing, local production traditions, and different types and tastes of wine by appreciating their diversity, originality, etc. In this way they would be able to verify claims as to the quality of wine. Buyers were no longer to delegate but rather to reinvest their position of free choice; they were to develop their own tasting capacity.

The Construction of the Proof

The promotion of individual expertise nevertheless faced a stumbling block: how could one evaluate the tasters' expertise so as to make sure that a judgement about the quality of a wine was right?

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The quality of wines could often be tested very simply: by tasting them. Tasters' competence was not as easy to verify. It was impossible to compare a taster with a reference taster. A univocal superiority of a particular taster could not be established. The taster's know-how could not be formalized or reduced to a theory or explicit method, the knowledge or good application of which may have been verifiable.

A simple test of gustative competence was the blind recognition test. This consisted in recognizing the identity of a wine, as indicated on the bottle, simply by tasting it and without any other information about it. The taster's performance was translated into an ability—subject to confirmation—to recognize the identity of a wine in a way that corresponded to the ethic of the "real amateur" or the "good taster" who rejects "signs of quality".

The ability to recognize implied that the good drinker was able to perceive the discriminating gustatory features of categories of wine, the name of their region of production, the type of vine, wine production methods, the wine growers or the vintages. They were therefore able to describe the taste of the wine. When differences of performance were clear, it was generally easy to link them to the ability or not to recognize and thus to describe.

From this ability to recognize, an ability to describe and then to evaluate was inferred. This was not an automatic operation; it incorporated the particular characteristics of each taster in the form of "individual tastes":

Some wines from Vitis lambrusca hybrid vines have an aroma that is called foxy. Through habit, these wines are eventually enjoyed by some wine drinkers(Peynaud and Blouin, 1980).

Eating habits were associated with "tastes" or biases in the capacity to evaluate. Their identification helped to obtain a new inference that transformed the ability to recognize and to describe, into an ability to evaluate. Step by step the test thus covered a variety of competences and afforded drinkers with an evaluation tool, so that the issue of credibility was avoided. "Real amateurs", those who did not want to be "drinkers of labels", regularly subjected themselves to these tests in order to evaluate their competence—and that of others when the game was collective.

-I don't do it very often, but at least once a year, a blind tasting. I choose around 6 or 7 wine appellations in my cellar and put them in a carafe. I send invitations to all my best friends who love wine and I have them discover these wines blind. They are in a carafe with numbers, and all around a good buffet, very convivial. I give them papers and pens, often I provide the names of the wines and they only have to relate the numbers and the names, Bordeaux, Figeac, Beychevelle. They taste, take notes, erase, start again. At the end they are lost, they get mixed up between all the wines, they copy one another. It's real fun. We laugh a lot; they try to buy the solutions from me . . . It's something we should

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do more often because it allows us to share the wine culture(Interview with wine drinker JMA, p. 13).

Professionals and drinkers thus responded to the impossibility of proving the judges' reliability by a form of commercialization that encouraged everyone to become an expert able to verify his or her own competence. The procedure of differentiation of quality initially confined to signs and then to critics, was progressively extended to a broader set of drinkers.

Consumers were not the only ones to have recourse to these blind recognition tests: critics with their wine master examinations or "trap" tasting, wine waiters with their contests, and scientists have all used them to in an attempt to prove their expertise without the help of peers and reputation. Tasters agreed to researchers' tests of competence designed to dispel doubts on their expertise (Chassin, 2000; Morrot, 1999). Since the mid-1990s O. Ashenfelter has published the results of his tests on the website "Liquid Assets" on a regular basis.

The Social Interpretation Revived

But once again, these new initiatives were only partly convincing. The blind test assessed an expert's capacity, but the same recognized capacity did not preclude disagreements on quality judgements. This generated doubts about the virtues of the blind test. Its limited diffusion was interpreted in two ways that revived sociological criticisms. First, blind tasting was interpreted as the instrument of a real perception of quality. It was said that the taste difference that could be seen between experts and "laypersons"—the term referring to those buyers who based their choice on signs of quality—paralleled with the correlation between market prices—taken as indicators of their preferences—, and that the presence of signs of quality showed that laypersons had a socially influenced consumption (Combris et al., 1997). Sociological reasoning led to an almost contrasting conclusion: it was the experts with their ostentatious blind tasting techniques and their capacity to produce a legitimate taste who influenced social distinction the most. It is the second interpretation, the idea of a "social norm" linking "good wines" to "good drinkers" that can be found in the most recent debate in the wine world today.

Quality appreciation as the result of a tentative process and the lack of a fixed, totally foreseeable link between the sign and the quality of wines, fuelled the denunciation of the relevance of signs by liberal economic currents and especially the WTO. Signs were said to be hidden anticompetitive measures. The social sciences were consequently asked to try to evaluate this subjective or imaginary social content of quality. From 1994 onwards two cross-cutting research projects on the social construction of quality (Valceschini and Casabianca, 1996) and then on AOC (Béranger and Valceschini, 1999) tried to federate social science research on this theme around the French National Institute for Agronomic Research: scientific conferences were held on the subject (INRA, 1996; Sylvander *et al.*, 2000), without ever managing to contain it. AOCs could be interpreted as economic barriers or economic rents (Lacroix *et al.*, 2000; Mollard *et al.*, 2001) which signify an income

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derived from a definite advantage that is not the result of an actual creation of wealth. Sociological work developed a congruent view where the taste for wine resulted from social interactions and distinction processes rather than from the characteristics of wines' components, for the consumer (Garcia-Parpet, 2001; Ginsburgh *et al.*, 1994), the producer (Benjamin and Podolny, 1999) or the critic (Ginsburgh, 1995; Odorici and Corrado, 2004) alike. Wine could also be seen as framing "identity economics" which qualified a market sustaining a social identity process (Barthélémy and Nieddu, 2004; Taddei and Antomarchi, 1997).

Quality arose not from the market but from an additional non-economic procedure. And all the efforts undertaken to insert quality into the functioning of the market could always be related to a distortion of the economy. Among all the wine buyers and drinkers I interviewed over the last 15 years, only one could fit with such a definition of quality as the result of market interactions free of any "added" qualification procedure. He said that he—like every one else he could think of—had a totally idiosyncratic taste, so that no information could help him. He drank wine daily and chose his wines randomly, without paying attention to prices. He enjoyed not only the wine, but also his ability to analyse the wine's quality. So for him quality was not a set of wine differences, but a marvellous taste exercise. There was no differentiating frame around the wines that would have allowed for a differentiation in the form of a classification or ranking. Differences arose from consumption and he would only exceptionally buy the same wine twice. The few times that he did so were opportunities for him to concentrate on the dissimilarities a same wine might have in different drinking circumstances. So for him there were only differences and no differentiation, nor calculation. He nevertheless spent a lot of money on wines.

Getting Rid of the Experts

From 2000 onwards, an increasingly loud call could be heard to get rid of the experts and their definition of quality, and to turn towards the drinkers. The problems encountered by the French producers were related to the imposition of a quality foreign to the demand's expectations, and therefore a source of problems, including social distortions to the good functioning of the market:

"At this stage our consumers are enslaved by wine. They have to comply with the rules to enter into the Holy of Holies or be thrown out into the darkness" J. Berthomeau "author of a report on the future of the industry and initiator of a think tank Cap 2010" (*Réussir Vigne*, 2004).

In contrast, wineries from the new wine producing countries had adopted an unbiased approach towards the market from the outset and were slowly but surely conquering market shares at the expense of the French production:

-From the beginning of modern history of wine in Australia, research, development and marketing have worked hand in hand. [...] It's no

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longer up to oenologists to decide, it's up to the consumer to say whether a wine should be micro-oxygenated or not, matured on a sediment or not (*Réussir Vigne*, 2004).

A similar but less detailed reasoning can be found in Institut d'études Gaultier (2002) or (Association Française des Eleveurs Embouteilleurs et Distributeurs de Vins et Spiritueux, 2002). If French wines wanted to withstand the new world competition, they would have to get rid of experts and their quality assessments, and to turn towards up-to-date marketing techniques. This objection was not only directed against the AOCs, but more widely against any quality differentiation that was not directly related to the consumers' expectations.

Many wine drinkers rely upon their taste experiences in choosing their wines. In case of discrepancies between their opinion and the producers' quality claims, they usually interpret these claims as instruments of manipulation of consumers, "pure marketing strategies" intended solely to induce people to buy:

-What do you think of this type of bottle? (I show him bottles with a shape different to the others, a so-called "Bordeaux" shape):

-[...] a bottle like that, that's distinguished by its label and its shape, automatically I don't even look at it(Interview with wine drinker RL, p. 40).

The need to sell and to make a profit induced duplicity among sellers and producers who were seen as quick to cheat their customers. However, not all wine buyers would radically doubt the producers' or sellers' intentions. On the contrary, as the success of the AOCs showed, many of them required "information" to make a better choice.

In order to avoid this need for information and all the problems it involved, the above market expert suggested matching wines better with consumers' tastes so that the claims borne by the bottle would converge with the drinkers' experience. But such a market organization already existed and required wine drinkers to know which wine quality they preferred and to base their choices on their known tastes, rather than on the wine's quality or on that acknowledged by the experts. All wine drinkers who did not want to bow to this necessity demanded new or surprising wines to renew their taste experiences, and denounced the wine production standardization effect of the use of marketing techniques.

Conclusion

AOCs have always attracted producers and the concept has been exported to some other wine producing countries such as Spain or Italy, and been adapted to other food and agricultural products such as cheese, olive oil and many more. Today US wine producers consider "geographic branding" as a keystone for their economic strategies (Warner, 2007). But at the same time they have also never stopped raising

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suspicions. Doubtful drinkers, sociologists equipped with sociological theories of taste, economists and marketers looking for a perfect market, governments, and many producers from non-AOC vineyards have opposed the AOCs with many arguments, experiences and experiments. They have denounced their inability to "really" differentiate between wine qualities.

As AOCs were widely used by wine drinkers who saw them as reliable and helpful quality indications, all these opponents suspected and denounced their ability to generate a difference *per se*, as signs rather than bearers of true information. Sociologists perceived them as illusions aimed at differentiating social behaviours, while economists believed they were hindrances to fair economic competition. The wine market actors—producers, retailers, buyers—, all supporters of the AOCs, did not ignore these arguments. On the contrary, they tried to help the market to maintain its ability to differentiate between qualities, and therefore helped to achieve a wider use of the AOCs. An interesting fact about wine critics is that they always found reluctant consumers to convince, so that whatever the reason, the wine qualification constantly had to be improved.

Faced with these accusations that quality was simply a pretext for other hidden aims, market professionals tried first to improve the signs themselves and their capacity to differentiate. They then answered the sociological critique by calling on the technical sciences for help. But, although concrete and perceived, contrarily to common belief, quality appeared to be a sort of ungraspable concept and could never be delimited once and for all. While trying to clear the GI debate, T. Josling recalls "The issue of whether a GI is merited or not is essentially empirical. Each situation has to be explored individually and costs and benefits weighed. If the benefit that consumers get from the exclusive label denoting the region of origin outweighs the cost of providing that information and of enforcing the restriction, then the GI is putatively justified" (Josling, 2006, p. 341). Quality was of course empirically tested, but no precise enough overall true view about quality could be created. Consequently, no general stabilized characteristics could support a univocal product differentiation and hierarchy. As the social sciences also proved unable to delimit product and human influence on quality, the objections continued, threatening the identification of quality, a keystone of the wine market from the quality defenders' point of view.

Science could not provide a definite answer about the grounds of quality. However, the community of critics could claim to allow for an evaluation—albeit a highly controversial one—of a general quality of wine (Teil, 2001). And consumers still relied upon quality to make their choices, using an indirect inquiry about the signs' credibility. Many wine professionals tried to help wine drinkers in their quality inquiry in order to sustain the wine quality differentiation. They provided them with ever more information about quality and signs' credibility. But this help continued to foster the doubts: their advice was interpreted as socially constructed and thus without any link with wine. As it seemed impossible to definitively prevent the misinterpretations of the quality signs, critics and market intermediaries asked

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wine drinkers not to use them and to acquire the necessary expertise to become able to recognize quality by themselves. But this new initiative appeared unable to stop the social accusation as the tests adopted to evaluate the wine drinkers' expertise were seen as signs of social differentiation.

Moreover, critics also improved the existent procedures. As a result, the wine market now appears like the city of Troy, a complex and more or less historically multilayered market where all the qualification procedures still carry on existing together. This twirling qualification has resulted in an increasing enrolment of professionals and drinkers in the quality definition debate. These wine professionals were first administrators, members of professional organizations, brokers, œnologists and producers, and later sommeliers, wine lovers, retailers, journalists and market specialists. The debate was followed by a radical instability of wine quality, which has become the result of a growing set of increasingly ephemeral and disputed statements.

Finally, these market intermediaries have performed a wine differentiation in the sense that their action can be related to the fact that many people see wine as pertaining to a world of organized differences, even though those differences are not easily defined. In this sense, they have framed a differentiation, or a calculation in Callon and Muniesa's (2003) sense, that sustains a market with hundreds of thousands of newly marketed brands every year.

This performance does not rely upon a quality that imposes itself alone on all perceptions and opinions. Quality had to be worked out, analysed, made perceptible, appreciated through the efforts of a large collective of actors who have dedicated most of their activity to this aim: wine critique.

A New Market Organization

The AOC qualification has changed the wine market. Although not all wine buyers rely upon the AOCs to make their choices, few people today see only an undifferentiated product called "wine" on supermarket or wine cellars' shelves, at wine fairs or on wine estates. The number of AOC qualified wines has constantly increased, partly at the expense of the "low quality" table wines. While on the one hand there has been a steep decline in wine production, of 0.5 mhl per annum since the 1970s, the production of wines with an AOC label or Vin Délimité de Qualité Supérieure label (VDQS)—superior quality wine from delimited production area—has increased by 0.25 mhl per annum.

The price gap between table wines has been steady since the end of the 1960s although with considerable differences from one AOC to another (Bartoli *et al.*, 1987); and in 2006, an AOC wine was on average 6.5 times more expensive than a table wine. The number of wine AOCs topped the 350 mark in 2002, as shown in Figure 1.

The significance of these high prices and increasing numbers of AOCs has been questioned. The fact that so many wines could claim to belong to an AOC has meant for some that it has lost its discriminatory power, whereas others see it as a

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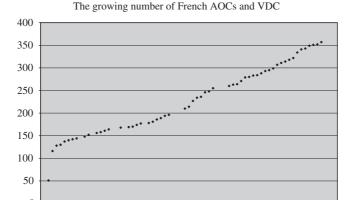


Figure 1: Cumulated number of AOCs from 1935 to 2004.

result of the general improvement of the production quality standards since the creation of the AOC.

Why does controversy seem to be so consubstantial to AOCs? It is often related to an inherent inadequacy of the concept. It can also arise from the actors' efforts to achieve the best market organization. And depending on their aims, interests, visions and theories, this organization changes, generating controversies.

But whatever the controversies, wine is produced and sold.

Although quality may appear as slippery as soap, the statistics show that consumers have continued to use quality signs and the most famous of them, the AOC. AOC wines have slowly conquered market shares at table wines' expense. Drinkers have not necessarily turned a deaf ear to criticism of the signs, but they consider that the signs are better than nothing. And since it seems that the link between sign and quality cannot be established and proved directly, consumers, with the help of market intermediaries, have created or adjusted their procedures for choosing wines by including an evaluation of the signs' credibility.

In order to assess the signs' credibility, wine buyers can rely upon fame as an indicator of unquestionably recognized reliability. Or, as it could also signal a successful marketing strategy, they select wines with multiple quality signs such as medals, AOC, critics' recognition, or estate bottled. Others have adopted a risk-limiting strategy by restricting the price they pay for their wines, or buy only the wines they already know. Finally, the consumers themselves, once interested in quality, are extremely active in knowing whether they are well-informed or not. But in order to do so they basically rely upon the work and activity of the critics.

Thanks to the quality differentiation initiated by GIs, the consumption of wine has become a full-blown "cultured" organization fuelled by the market—although the latter is often accused of leading to standardization and intellectual poverty. Controversies have drawn attention towards the quality of wine and contributed to making the market extremely reflexive. All over the world, buying a wine is all but a

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straightforward procedure. The customer contemplates the qualities, the prices, the available information, the shopping place, his or her former experience, the opinions of other drinkers, their reliability, and so on.

Finally, we can conclude that a virtue and strength of the wine AOCs is not their intrinsic capacity to deceive consumers, but their ability to arouse suspicion when they are perceived as unfair and dangerous by the quality market supporters.

Just as any quality sign, French AOCs are neither credible nor unreliable signs per se; they had to be made credible, that is "reliable enough to be useful" from the point of view of their users. Their efficiency has depended and still depends on the ability of their proponents to establish, ensure, and demonstrate their capacity to designate quality—and thus to define the notion of quality. This necessity may generate the rise of a critique, as in the case of wine, and therefore induce a specific market format, a quality market, where quality may achieve the highest value and where the assessment of quality is of major importance. When AOCs are not able to resist the suspicions, when they do not have defenders, no such market organization may emerge, quality cannot be praised, and products under AOCs do not achieve higher prices.

In order to resist the attacks, it is of utmost importance for AOC quality to be grounded, so that it can demonstrate a difference resulting from its origin and not from the political efficiency of the administration in charge of it, for instance. It follows that AOC producers must also all be committed to expressing and enhancing that quality. Even though higher prices are very efficient incentives, they will be achieved only once quality is seen as reliable, so that AOC producers always have to implement present quality production constraints for a future benefit. And this may always make their commitment to quality production a bit difficult.

About the Author

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Notes

- 1. From the sixteenth century a decree by Felipe II regulated the conditions and places of production of quality wines in the Valladolid area (Spain).
- 2. Law of 1 August 1905 against fraud in selling food or agricultural products; Law of 5 August 1908, amending the Law of 1 August 1905.
- 3. AOCs are often said to be reliable signs because they are state controlled or guaranteed. This is surely not true. The sign became recognized once professional experts joined the quality definition committees. But, as they are administratively defined, these signs are also different from the usual experts' signs such as the wine selections of wine guides.

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- 4. The use of italics indicates a question by the interviewer.
- 5. Wines with a short period of maturation in barrels.
- 6. The word "critique" refers to the collective formed by all individual "critics".
- 7. 15 francs are 2€25. The book was published in 1996.
- 8. This was true at least in France where poor table wine was produced before the 1990s. The table wine Mas Daumas Gassac might be the only exception. The fifth vintage 1982 was welcomed by thee critics and compared with the best French wines. In Spain, the recent creation of the wine GIs has excluded from the quality zones a few well-established brands sold as table wines at high or very high prices. They already benefited from the international critique to maintain their fame and reliability as a quality label.
- 9. This document contains the 45 answers to a questionnaire on Robert Parker proposed on a website. We cited the harshest answer to the question "What do you think of Robert Parker?", where every wine drinker is described as a victim of the position of strength occupied and exploited by Parker.
- 10. The Institute of Masters of Wine, founded in 1955 and dedicated to promoting knowledge, understanding and appreciation of wine among English retailers and merchants, opened in 1988 to other nationalities and wine professionals such as journalists who could thus claim their acknowledged reliability as a wine taster.
- 11. The 1994 edition mentions "over 450,000" and that of 1990 nothing.
- 12. Unchanged in subsequent editions.
- 13. In the early 1990s six laboratories belonging to the French National Institute For Agronomic Research (INRA) were working on the link between signs of quality and the quality of wines.
- 14. Larreau and Debry are the authors of the citations quoted by Peynaud and Blouin in their book and reproduced in this citation.
- 15. This research went beyond the case of wine and focused more generally on the quality sign.

References

Akerlof, G. A. (1970) 'The Market for "Lemons": Quality Uncertainty and the Market Mechanism, *Quarterly Journal of Economics*, 84, 488–500.

Association Française des Eleveurs Embouteilleurs et Distributeurs de Vins et Spiritueux (2002) Battons nous à armes égales!. Information Presse OPHA

Barthélémy, D. and Nieddu, M. (2004) La multifonctionnalité: un débat sur les productions jointes ou sur l'opposition biens marchands — bien identitaires, Les Cahiers de la multifonctionnalité, 2004(4), 82–97.

Bartoli, P., Boulet, D., Lacombe, P., Laporte, J.-P., Lifran, R. and Montaigne, E. (eds) (1987) *L'économie viticole française*. INRA, Paris.

Benjamin, B. A. and Podolny, J. M. (1999) 'Status, Quality, and Social Order in the California Wine Industry', *Administrative Science Quarterly*, 44(3), 563–89.

Béranger, C. and Valceschini, E. (1999) *Qualité des produits liés à leur origine*. INRA, Paris. Callon, M. and Muniesa, F. (2003) 'Les marchés économiques comme dispositifs de calcul', *Réseaux*, 21(122), 189–233.

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Charlier, C. and Ngo, M.-A. (2007) 'An analysis of the European Communities: Protection of Trademarks and Geographical Indications for Agricultural Products and Foodstuffs Dispute', The Journal of World Intellectual Property, 10(3-4), 171-86.

Chassin, M. (2000) 'Le jury expert: une réponse aux interrogations des professionnels du vin relatives à l'analyse gustative', Revue Française d'ænologie (mai/juin), 20–2.

Durand, J. (1998) Le Grand BOB.

Ewing-Mulligan, M. and McCarthy, E. (1997) Le vin pour les nuls. SYBEX, Paris.

Garcia-Parpet, M.-F. (2001) 'Styles de vie et manières de boire: un marché de l'offre des biens de prescription œnologique,' Paper presented at the 8th journée d'étude du CLERSE, L'organisation sociale de l'économie, Le 8 juin 2001, Villeneuve d'Ascq.

Garfinkel, H. (1967) Studies in Ethnomethodology. Prentice Hall, Englewood Cliffs, NJ.

Garrier, G. (1995) Histoire Sociale et culturelle du vin. Bordas, Paris.

Ginsburgh, V. (1995) 'Techniques de production, réputation et qualité des vins-Essais économétriques sur les vins rouges du Haut Médoc', in P. Beusen and H. Vandeuven (eds), Les arts du vin. Le Crédit Communal, Bruxelles, pp. 227-41.

Ginsburgh, V., Monzak, M. and Monzak, A. (1994) 'Red Wines of Medoc, What is Wine Tasting Worth,' Paper presented at the at the Conference organized by the Vineyard Data Quantitative Society, held at Verona, Italy, May 1994.

Handler, M. (2006) 'The WTO Geographical Indications Dispute', Modern Law Review, 69(1), 70-80.

INRA (1996) 'Actes du colloque "Les terroirs viticoles".' Proceedings of the first conference Les terroirs viticoles held at Angers on July 1996, the 17th and 18th. INRA Angers-Montpellier.

Institut d'études Gaultier. (2002) Enquête VINITECH 2002: Quelles sont les grandes mutations qui ont marqué la vigne et les vins de France ces deux dernières décénies? Quelles sont les perspectives pour les prochaines années? VINITECH,

Institut National des Appellations d'Origine (1985) Une réussite française: l'appellation d'origine contrôlée vins et eaux-de-vie. Euro-impressions, Paris.

James, W. (1968) Le Pragmatisme. E. Flammarion, Paris.

James, W. (1996) Essays in Radical Empiricism. University of Nebraska Press & Longmans Greens and Co, New York.

Johnson, H. (1985) Le vin mode d'emploi. Flammarion, Paris.

Josling, T. (2006) 'The War on Terroir: Geographical Indications as a Transatlantic Trade Conflict', Journal of Agricultural Economics, 57(3), 337-63.

Lacroix, A. J., Mollard, A. and Pecqueur, B. (2000) 'Origine et produits de qualité territoriale: du signal à l'attribut?', Revue d'économie rurale et urbaine, 2000(4), 683-706.

Markham, D. (1999) 1855, Histoire d'un Classement. Editions Féret, Paris.

Mollard, A., Pecqueur, B. and Moalla, M. (2001) 'Offre de produits et services territorialisés et approche lancastérienne de la demande de bien combines,' Paper presented at the III° Journées de la Proximité: "nouvelles croissances et territoires", December 2001 the 13th and 14th, Paris.

Morrot, G. (1999) 'Peut-on améliorer les performances du dégustateur?', Journal International de la Vigne et du Vin (special issue "La dégustation"), 31-8.

Moschini, G., Menapace, L. and Pick, D. (2008) 'Geographical Indications and the Competitive Provision of Quality in Agricultural Markets', American Journal of Agricultural Economics, 90(3), 794-812.

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Odorici, V. and Corrado, R. (2004) 'Between Supply and Demand: Intermediaries, Social Networks and the Construction of Quality in the Italian Wine Industry', *Journal of Management and Governance*, 8(2), 149–71.

- Paumard, B. and Millet, J.-G. (2000) *Guide pratique de la dégustation du vin*. Eyrolles, Paris. Peñín, J. (1998) *Guía Peñín de los vinos de España 1999 [1987–88, 1993, 1994, 1995–96, 1997, 1998, 1999]*. Pi&Erre ediciones, Madrid.
- Peynaud, É. and Blouin, J. (1980) Le goüt du vin, le grand livre de la dégustation. Bordas, Paris.
- Renvoisé, G. (1996) Le monde du vin: Art ou bluff. Editions du Rouergue, Rodez.
- Renvoisé, G. (2004) Le monde du vin a-t-il perdu la raison? Editions du Rouergue, Rodez.
- *Réussir Vigne* (2004) 'Du vignoble au chai, Dossier « faire du vin pour le vendre » ', *Réussir Vigne*, 97(mai), 18–32.
 - Sylvander, B., Barjolle, D. and Arfini, F. (2000) 'Aspects socio-économiques de l'origine dans les filières agro-alimentaires: territoires, coordination et institutions,' Proceedings of the 67th conference of the European Association of Agricultural Economists held at Le Mans, 28–30 October 1999, INRA coll. Actes et communications N°17/1-2: Paris.
 - Taddei, D. and Antomarchi, F. (1997) Economie identitaire. Albiana, Ajaccio.
 - Teil, G. (2001) 'La production du jugement esthétique sur les vins par la critique vinicole', *Revue de Sociologie du Travail*, 43(1), 67–89.
 - Teil, G. (2004) De la coupe aux lèvres pratiques de la perception et mise en marché de vins de qualité. Octarès, Toulouse.
 - Teil, G., Barrey, S., Blanchemanche, S., Floux, P. and Hennion, A. (2007) 'Des vins sans pesticides? Une analyse de la prescription à la consommation. Tome 1: synthèse; Tome 2: le bio, un double principe de précaution; Tome 3: L'agriculture raisonnée: Tome 4: les vins de Terroir + annexes.' Rapport du Volet 3 du programme Vins et Pesticides au Ministère de l'Ecologie et du Développement Durable, Paris.
 - Valceschini, E. and Casabianca, N. (1996) La qualité dans l'Agro-alimentaire, Emergence d'un Champ de recherches—Rapport final de l'AIP Construction Sociale de la Qualité de l'INRA. INRA, Paris.
 - Warner, K. D. (2007) 'The quality of sustainability: agroecological partnerships and the geographic branding of California grapes', *Journal of Rural Studies*, 23(2), 142–55.

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