



HM Revenue  
& Customs

# Irish whiskey, Irish cream and Irish poteen verification

## **Consultation document**

Publication date: 1 October 2015

Closing date for comments: 31 October 2015

<b>Subject of this consultation:</b>	Irish whiskey, Irish cream and Irish poteen are protected under EU legislation as products of Geographical Indication. This document outlines how HMRC proposes to verify Irish whiskey, Irish cream and Irish poteen made in Northern Ireland or bottled in the UK, including how we will recover costs.
<b>Scope of this consultation:</b>	The scope of the consultation is limited to how HMRC verifies the processes and the recovery of our associated costs.
<b>Who should read this:</b>	HMRC welcomes input from any person, business or representative body with an interest in the verification of Irish whiskey, Irish cream and Irish poteen produced in Northern Ireland.
<b>Duration:</b>	1 October 2015 – 31 October 2015
<b>Lead official:</b>	Paul Manson (HMRC)
<b>How to respond or enquire about this consultation:</b>	Please respond by e-mail, to <a href="mailto:Mailbox.alcoholpolicy@hmrc.gsi.gov.uk">Mailbox.alcoholpolicy@hmrc.gsi.gov.uk</a>
<b>Additional ways to be involved:</b>	We do not intend to hold any meetings in relation to this consultation. If any questions arise, please include these alongside your consultation response and we will get back to you.
<b>After the consultation:</b>	<p>HMRC will take account of the results from the consultation in finalising the verification schemes for Irish whiskey, Irish cream and Irish poteen produced in Northern Ireland or bottled in the UK.</p> <p>The verification schemes in Northern Ireland and the equivalent schemes in the Republic of Ireland are due to be launched in autumn 2015. Verification visits will start soon after.</p>
<b>Getting to this stage:</b>	The Department of Agriculture, Food and Marine in the Republic of Ireland has developed the Technical Files for Irish whiskey, Irish cream and Irish poteen, which apply throughout Ireland.
<b>Previous engagement:</b>	HMRC and Defra have worked with the Department of Agriculture, Food and Marine and producers of Irish spirit drinks to develop the Technical Files.

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**On request this document can be produced in Welsh and alternate formats including large print, audio and Braille formats**

# 1. Introduction

## Geographical Indication

1.1 A geographical indication identifies a product as originating in the territory of a particular country, region or locality where its quality, reputation or other characteristic is linked to its geographical origin, as is the case with Irish whiskey, Irish cream and Irish poteen. The protection of geographical indications matters economically and culturally; they can create value for local communities through products that are deeply rooted in tradition, culture and geography. They also support rural development and promote new job opportunities in production, processing and other related services. However, geographical names with commercial value are exposed to misuse and counterfeiting. The abuse of geographical indications limits access to certain markets and undermines consumer loyalty. Fraudulent use of geographical indications hurts both producers and consumers.

1.2 The UK has legislated for a spirits drink verification scheme and has already successfully launched a verification programme for [Scotch whisky](#). Following this consultation, the government will introduce verification for Irish whiskey, Irish cream and Irish poteen. The final part of the scheme will cover cider brandies.

## Verification scheme

1.3 Irish whiskey, Irish cream and Irish poteen are protected under Regulation (EC) No 110/2008 as products of Geographical Indication (GI). The specifications for these products are set out in their Technical Files – HMRC will verify production in Northern Ireland by checking that the manufacturing processes are correctly set up to create products that comply with their Technical Files. Irish whiskey, Irish cream and Irish poteen that is bottled on the UK mainland will also be verified by HMRC. The EU requires HMRC to pass on the costs of verification to the industry.

1.4 HMRC will publish the names of production facilities on GOV.UK, including details of their assured processes and verified brands. We will also list verified premises in the UK that bottle Irish whiskey, Irish cream and Irish poteen.

1.5 Irish whiskey, Irish cream and Irish poteen produced in the Republic of Ireland will be verified by the Irish Revenue Commissioners and the Department of Agriculture, Food and Marine.

1.6 As far as we are aware, Irish whiskey, Irish cream and Irish poteen is not currently bottled outside the Republic of Ireland and the UK. We are currently in discussions with the Irish authorities to establish how best to verify such operators, should they apply for verification.

## Consultation

- 1.7 This document explains HMRC's proposed approach to verification of Irish whiskey, Irish cream and Irish poteen and seeks views from interested parties.
- Chapter 2 covers the verification process
  - Chapter 3 explains how we will recover costs
  - Chapter 4 explains the legislative context
  - Chapter 5 sets out the assessment of likely impact of the verification schemes
  - Chapter 6 contains a summary of the consultation questions
  - Chapter 7 explains the consultation process and how to respond.
- 1.8 The annexes to the document contain the Technical Files for Irish whiskey, Irish cream and Irish poteen. The impact assessment is available as an associated link to this document on GOV.UK.

## 2. Verification Scheme

2.1 This chapter sets out how we will draw up verification schemes for Irish whiskey, Irish cream and Irish poteen. It also covers applying for verification, how we intend to assure production processes in Northern Ireland and also where bottling takes place in the UK. It describes how we intend to assure brands, the frequency of verification visits and what will happen in the case of non-compliance.

2.2 HMRC aims to introduce a verification scheme which is straightforward and keeps costs to a minimum.

2.3 HMRC will consider Irish whiskey, Irish cream and Irish poteen brands to be satisfactorily verified only when it can be shown that each process involved in creating those products complies with their Technical Files (see annexes A, B and C).

2.4 It is common for multiple brands to originate from a single production facility, and therefore HMRC proposes a programme of assurance that verifies the processes taking place in that facility. This will ensure that no single operator is visited more than once (unnecessarily) for the same purpose and will minimise the costs to industry.

2.5 HMRC will assure the key processes involved in production of Irish whiskey, Irish cream and Irish poteen. Each producer who conducts one of these processes will have their process checked to assure compliance with the Technical File. HMRC will only verify a brand if all processes involved have been assured, including any non-UK bottling facility.

2.6 Subject to any transitional arrangements, once the scheme is implemented, only production facilities with assured processes can be used to produce and market their product legally in the EU. Producers who market their product without having gained assurance of their processes will be doing so illegally and will be referred to the enforcement authorities for appropriate action.

### Production processes

2.7 For Irish whiskey, we intend to examine the following processes:

<b>Process</b>	<b>Technical File Reference</b>
Brewing	Paragraph 4.1.1
Fermentation	Paragraph 4.1.2
Distillation	Paragraph 4.1.3
Maturation	Paragraph 4.1.4
Filtration	Paragraph 4.1.5
Blending	Paragraph 5.44
Bottling and labelling	Paragraph 10

2.8 For Irish cream, we intend to examine the following areas:

<b>Process</b>	<b>Technical File Reference</b>
Dairy content	Paragraph 2.3.1
Alcohol content	Paragraph 2.3.2
Irish whiskey content	Paragraph 2.3.3
Sweetening/sugar use	Paragraph 2.3.4
Production methods	Paragraphs 4.1 to 4.3
Labelling rules	Paragraph 10

2.9 For Irish poteen, we intend to examine the following areas:

<b>Process</b>	<b>Technical File Reference</b>
Brewing	Paragraph 4.1.1
Fermentation	Paragraph 4.1.2
Distillation	Paragraph 4.1.3
Bottling and labelling	Paragraph 4.1.4 and Paragraph 9

**Q1. Do you agree that checking the processes identified in paras 2.7, 2.8 and 2.9 will provide assurance of compliance with the Technical Files for Irish whiskey, Irish cream and Irish poteen?**

### Applying for verification

2.11 Once the schemes have been launched, all operators of premises undertaking one or more of the key production processes should apply to HMRC to have their processes verified.

2.12 Operators will be required to apply online at GOV.UK.

2.13 The information provided will be used by HMRC to issue invoices and make contact to arrange an appointment for the necessary process assurance visit. It is the responsibility of operators to notify HMRC that they run production processes requiring assurance.

### Assuring production processes in Northern Ireland

2.14 HMRC will assure all notified Irish whiskey, Irish cream and Irish poteen production processes in Northern Ireland for compliance with the specifications, requirements and definitions in the products' Technical Files, for example:

- Checking purchase invoices, and delivery records, for ingredients and equipment;
- Physical examination of equipment; and,
- Checking procedures, as written, observed and through interview.

2.15 A visit will follow to the production facilities to check that their processes comply with the Technical Files. Where this involves documentary checks, for example purchase records of ingredients and casks etc. these must be made available to the



verification team at the premises when and where the production process assurance visit takes place.

## **Assuring production processes outside Northern Ireland**

2.16 Irish whiskey, Irish cream and Irish poteen produced in the Republic of Ireland will be verified by the Irish Revenue Commissioners and the Department of Agriculture, Food and Marine.

2.17 Irish whiskey, Irish cream and Irish poteen blended, bottled and labelled in the UK will be verified by HMRC.

2.18 As far as we are aware, Irish whiskey, Irish cream and Irish poteen are not currently bottled outside the Republic of Ireland and the UK. If this changes, then such bottlers would be brought into the scheme.

2.19 We continue to explore the possible options for verifying bottlers outside the UK and Ireland with the verification authorities in the Republic of Ireland.

**Q2. Do you currently send bulk Irish whiskey, bulk Irish cream or bulk Irish poteen to be bottled outside Northern Ireland, or intend to do so in the future? If so, which country/countries do you send or intend to send the product to?**

## **Assuring brands**

2.20 HMRC will require operators responsible for the final labelling of Irish whiskey, Irish cream and Irish poteen products to submit a list of all brands that they bottle and label, either on behalf of their customers or which they supply themselves. Working backwards from that point, they must also provide evidence that the brand being submitted for verification originates from assured production facilities operating compliant processes.

2.21 Producers are required to retain such records as may be required to verify a brand. For example, in the case of Irish whiskey, the records should allow HMRC to trace a bottled product back through the production processes to determine where the product was bottled, distilled, fermented and matured. If a non-compliant product is reported to HMRC, producers should retain sufficient information to allow their investigation into the source of non-compliance and put in place measures to remedy the situation.

**Q3. Do you agree with the proposal to collect brand names from the bottler of the product?**

**Q4. How often do you think it will be necessary to refresh the list of verified brands, i.e. how often are new brands created?**

## Frequency of visits

2.22 A programme of visits to assure notified production processes will begin once the verification schemes have been finalised. Processes will then be assured once every two years to assure continued compliance with each Technical File. It is anticipated that all Irish whiskey, Irish cream and Irish poteen producers in Northern Ireland will wish to apply for verification.

2.23 Once a producer has been verified as compliant with the Technical File, their verified status will last for two years, unless it is established in the meantime that they are no longer compliant.

2.24 There will be a transitional period when there will be some Irish whiskey and Irish cream brands on the market which have not been verified through production process assurance visits. To enable that product to be marketed, Irish whiskey, Irish cream and Irish poteen which was produced in Northern Ireland before the date of any verification visit to the facilities will be deemed compliant with the specifications of the technical file, provided that the processes are subsequently found to be compliant.

**Q5. Do you agree that verifying producers every two years strikes the right balance between assuring processes and minimising burdens? If not, what frequency would you suggest, and why?**

## Non-compliance

2.25 If a process is found not to comply with the verification requirements, the following steps will be taken:

Step 1: the officer will advise the producer or operator how they can become compliant.

Step 2: the officer will propose a time period in which changes should be made. This time period will depend on the nature of the remedial action required.

Step 3: if the process remains non-compliant after the permitted time period, the production facility will be removed from or not included on the list of production processes with verified processes.

Step 4: the officer will forward details to the designated enforcement authorities

2.26 Production processes that are assured and subsequently found to be non – compliant will similarly result in associated brands no longer being verified until such time that compliance is achieved.

## Checking who has been verified

2.27 Information relating to the scheme will be published on GOV.UK. This will include a list of production facilities with assured processes in Northern Ireland and a list of verified brands of Irish whiskey, Irish cream and Irish poteen.

## 3. Costs of Verification

3.1 This chapter covers the costs of verification. EU legislation states that producers of GI spirit drinks must reimburse the verifying authority the actual costs that it incurs. HMRC will endeavour to keep these costs to a minimum.

3.2 The verification visits to producers of Irish whiskey, Irish cream and Irish poteen in Northern Ireland will be carried out by officers from HMRC's Spirit Drinks Verification Unit (SDVU), based in Glasgow. The unit has responsibility for verifying all UK GI spirit drinks.

3.3 The verification fee charged will recoup the salary costs of the staff carrying out the work, plus their travel and associated costs (e.g. overnight accommodation) and the cost of maintaining the computer system which supports the UK GI verification scheme (it is already in operation for the Scotch whisky GI).

3.4 The payment scheme HMRC proposes to introduce is as follows:

### Estimated fees

#### a) Irish whiskey producer in Northern Ireland

- Based on the experience of verifying the Scotch whisky GI, it takes, on average, 2 days to verify 5 whisky production processes.
- Salary for a verification officer = £249 per day x 2 = £498
- 1 night's overnight accommodation in Belfast = £80
- Return flight from Glasgow to Belfast = £100
- Car hire cost for 1 day from Belfast = £70
- Evening Meal = £26
- Apportioned IT costs = £128

Total estimated costs for verifying Irish whiskey producer = **£902.00**

#### b) Irish cream producer in Northern Ireland

The calculation is as above. Initial expectations are that it will take two full days to verify the production of Irish cream, so a producer will pay an estimated **£902.00**.

#### c) Irish poteen producer in Northern Ireland

The cost basis for verifying Irish poteen is the same as Irish whiskey and Irish cream, so a producer of Irish poteen will pay an estimated **£902.00**

#### d) Where production process occurs across more than one site

There are likely to be cases where production processes involved in making a brand occur across multiple sites. For example, where a brand is produced on one site, but is matured or bottled and labelled elsewhere.

In this instance, we would anticipate charging for each site as follows.

A business that undertakes all production processes, except, for example, bottling or labelling or maturation, at a single site in Northern Ireland would require two full days to verify, **costing £902**.

The bottling and labelling or maturation that takes place elsewhere would require a single day to verify, **costing £451**.

**Q6. Is calculating verification fees based on an officer's salary and expenditure costs fair and reasonable?**

### ***Payment and collection of fees***

3.7 Once a producer applies for assurance of their processes, HMRC will issue an invoice to the address notified by the producer.

3.8 Following payment of the appropriate fee, HMRC will visit the premises, conduct assurance checks and, if satisfied, will include the production facility in the list of facilities with assured processes.

3.9 Fees will be invoiced approximately every two years, in time for producers to make payment facilitating their necessary process approval visit every two years.

3.10 Fees must be paid prior to any verification visit and will be collected by electronic payment channels only, such as Faster Payment, BACS or CHAPS.

3.11 If payment is not received then the producer will either not receive their initial process assurance visit or otherwise will be deemed non-compliant under the provisions of Article 22(1) in Regulation (EC) No110/2008 and their facilities will be removed from, or not included on, the list of production facilities with assured processes published on the HMRC website.

3.12 If a production facility fails the initial, or any subsequent, assurance checks then HMRC will provide sufficient time and opportunity to comply. This may mean that follow-up visits to assure the process(es) in question may be required. If a follow-up visit is required, HMRC will charge the producer an additional standard fee charge for the process requiring further assurance.

3.13 If a production facility becomes non-compliant, or no longer requires assurance, their processes will be removed from the list of production facilities with assured processes. Any affected brand details will be removed from the list of verified brands.

3.14 HMRC will set the fees with the aim of ensuring our costs are covered over the course of the financial year. The fee will be reviewed periodically (at least every two

years in line with the programme of visits) and adjusted to account for deficits or surpluses. HMRC will publish details of fees and consult producers if substantial changes are required to the fee structure.

## 4. Legislative Context

4.1 Regulation (EC) No 110/2008 includes a provision for Member States to introduce measures ensuring that spirit drinks marketed with a protected GI are produced in accordance with the specific conditions laid down in a Technical File for the product.

4.2 GI spirit drinks that have not been verified may not be put on the market.

4.3 For the UK, the Spirit Drinks Regulations 2008 (SDR) give effect to Regulation (EC) No 110/2008 EC, which includes provisions for the production, labelling and marketing of spirit drinks. SDR designate HMRC as verifying authority for UK spirit drinks with a protected GI.

4.4 The Spirit Drinks (Cost of Verification) Regulations 2013 provide for the publication of verification schemes for UK GI spirit drinks and recovery of verification costs incurred by HMRC.

4.5 HMRC's role is limited to verifying that products notified comply with the Technical File and publishing details of facilities with compliant production processes and verified brands.

4.6 Where a process is found to be non-compliant, HMRC will notify the producer and require remedial action to be taken. Failure to comply will result in enforcement action, see paragraphs 2.25 and 2.26. Enforcement in the case of non-compliance with the verification scheme has been designated to Trading Standards and Port Health Authorities. HMRC are able to pass relevant information to these designated enforcement authorities through established legal gateways.

4.7 Circumstances under which HMRC will not verify and publish details of facilities or brands will include where:

- Notification is not given by producers of GI spirit drinks that they should be included within the verification scheme; or
- HMRC are requested to exclude a brand by a relevant enforcement authority, considering evidence of failure/non-compliance in an assured process.

4.8 The verification schemes for Irish whiskey, Irish cream and Irish poteen throughout Ireland are not available at this time, but will be published in due course on GOV.UK for the start of the schemes

4.9 It is expected that the UK and the Republic of Ireland's verification schemes will be launched in autumn 2015.

## 5. Assessment of Impacts

The assessment of impact of the verification schemes can be found as an [associated link to this document on GOV.UK](#). Depending on information received as part of this consultation, the impact assessment may be updated. We would be particularly interested in any information which would help to make an assessment of the benefits of this scheme.

**Q7. Is the assessment of the likely impact of the verification schemes accurate?**

## 6. Summary of Consultation Questions

Chapter 2	<b>Q1 Do you agree with that checking the processes identified in paras 2.7, 2.8 and 2.9 will provide assurance of compliance with the Technical Files for Irish whiskey, Irish cream and Irish poteen?</b>
	<b>Q2. Do you currently send bulk Irish whiskey, bulk Irish cream or bulk poteen to be bottled outside Northern Ireland, or intend to do so in the future? If so, which country/countries do you send or intend to send the product to?</b>
	<b>Q3 Do you agree with the proposal to collect brand names from the bottler of the product?</b>
	<b>Q4. How often do you think it will be necessary to refresh the list of verified brands, i.e. how often are new brands created?</b>
	<b>Q5. Do you agree that verifying producers every two years strikes the right balance between assuring processes and minimising burdens? If not, what frequency would you suggest, and why?</b>
Chapter 3	<b>Q6. Is calculating verification fees based on an officer's salary and expenditure costs fair and reasonable?</b>
Chapter 5	<b>Q7. Is the assessment of the likely impact of the verification schemes accurate?</b>

## 7. The Consultation Process

### How to respond

A summary of the questions in this consultation is included at Section 6.

Responses should be sent by [X] October 2015 by email to;

[Mailbox.alcoholpolicy@hmrc.gsi.gov.uk](mailto:Mailbox.alcoholpolicy@hmrc.gsi.gov.uk)

If you have any questions about this consultation, please send them via the above email address. Alternatively, you can contact HMRC's Alcohol Policy Team by telephone on 03000 588 071 or by writing to:

Alcohol Policy Team  
HMRC  
Indirect Tax  
3W Ralli Quays  
3 Stanley Street  
Salford M60 9LA

When responding please say if you are a business, individual or representative body. In the case of representative bodies please provide information on the number and nature of people you represent.

### Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals with, amongst other things, obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an



assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on HM Revenue and Customs (HMRC).

HMRC will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

## Consultation Principles

This consultation is being run in accordance with the Government's Consultation Principles. [If you wish to explain your choice of consultation period, this is the place. Also, if you are holding additional meetings or using alternative means of engaging, please mention this here].

The Consultation Principles are available on the Cabinet Office website: <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

If you have any comments or complaints about the consultation process please contact:

John Pay, Consultation Coordinator, Budget Team, HM Revenue & Customs, 100 Parliament Street, London, SW1A 2BQ.

Email: [hmrc-consultation.co-ordinator@hmrc.gsi.gov.uk](mailto:hmrc-consultation.co-ordinator@hmrc.gsi.gov.uk)

Please do not send responses to the consultation to this address.

# Annex A - Irish whiskey Technical File

TECHNICAL FILE SETTING OUT THE SPECIFICATIONS WITH WHICH IRISH WHISKEY/UISCE BEATHA EIREANNACH/IRISH WHISKY MUST COMPLY

Food Industry Development Division

Department of Agriculture, Food and the Marine

October 2014

**Language: English**

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## **1. NAME AND CATEGORY OF SPIRIT DRINK INCLUDING THE GEOGRAPHICAL INDICATION**

### **1.1. Name:**

Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky

### **1.2. Category of spirit drink:**

Whisky/Whiskey (Category 2 in Annex II to Regulation (EC) No 110/2008).

## **2. DESCRIPTION OF THE SPIRIT DRINK INCLUDING PHYSICAL, CHEMICAL, ORGANOLEPTIC CHARACTERISTICS**

### **2.1. Principal Physical Characteristics:**

#### **2.1.1. Product description**

“Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky”, having been distilled since the 6th century, is one of the oldest spirit drinks in Europe. The spirit ranges in colour from pale gold to dark amber. The product is distilled from a mash of malted cereals, with or without whole grains of other cereals. The general classification “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” also contains three varieties, “Pot Still Irish Whiskey”, “Malt Irish Whiskey” and “Grain Irish Whiskey”. These varieties can also be called “Irish Pot Still Whiskey”, “Irish Malt Whiskey” and “Irish Grain Whiskey”. The above varieties can also be combined to form a “Blended Irish Whiskey/Irish Blended Whiskey”.

“Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” is a spirit distilled on the Island of Ireland, including Northern Ireland, from a mash of malted cereals with or without whole grains of other cereals and which has been:

- a) saccharified by the diastase of malt contained therein, with or without other natural enzymes;
- b) fermented by the action of yeast;
- c) distilled at an alcoholic strength of less than 94.8% by volume in such a way that the distillate has an aroma and taste derived from the materials used;
- d) subject to the maturation of the final distillate for at least three years in wooden casks, such as oak, not exceeding 700 litres capacity.

The distillate, to which only water and plain caramel colouring may be added, retains its colour, aroma and taste derived from the production process referred to in points (a) to (d).

### **2.2. Specific Characteristics - Classifications of “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky”:**

The name “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” applies to spirits distilled and matured in Ireland including Northern Ireland and which complies with Regulation (EC) No 110/2008 of the European Parliament and of the Council and of the Irish Whiskey Act 1980 and its amendments. Adherence to these stipulations enables such spirits to comply with the requisite Product Category 2 whisky/whiskey of Annex II of Regulation EC) No 110/2008 and merit the Geographic Indicator: “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” in Annex III of the Regulation EC)

No 110/2008. The general classification “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” also contains the following three varieties, each with their own specific technical specifications, namely “Pot Still Irish Whiskey/Irish Pot Still Whiskey”, “Malt Irish Whiskey/ Irish Malt Whiskey” and “Grain Irish Whiskey/Irish Grain Whiskey”. Where the variety name is used to describe an “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” then the production method for this whiskey must strictly adhere to the technical specification defined for that whiskey. The varieties may use either the spelling ‘Whiskey’ or ‘Whisky’

### **2.2.1. Pot Still Irish Whiskey/Irish Pot Still Whiskey**

“Pot Still Irish Whiskey/Irish Pot Still Whiskey” is made from natural raw materials, currently non- peated malted barley and includes unmalted barley and other unmalted cereals, water and yeast. Other natural enzymes may also be used at the brewing and fermentation stages. The unmalted barley is an essential ingredient of “Pot Still Irish Whiskey/Irish Pot Still Whiskey” as it gives both a distinctive spicy flavour to the whiskey and influences the texture by giving the whiskey a distinct creamy mouth feel. “Pot Still Irish Whiskey/Irish Pot Still Whiskey” is defined as a spirit distilled from a mash of a combination of malted barley, unmalted barley and other unmalted cereals. The mash must contain a minimum of 30% malted barley and a minimum of 30% unmalted barley and be:

- a) saccharified by the diastase of malt contained therein, with or without other natural enzymes;
- b) fermented by the action of yeast;
- c) distilled in pot stills in such manner that the distillate has an aroma and taste derived from the materials used.

### **The Production Process:**

Brewing involves preparation of a mash from a proportional mix of malted and unmalted barley with up to 5% of other cereals such as oats and rye added if required. Each distillery has its own recipe within the parameters outlined above. The method for the separation of wort, which occurs during the brewing process, plays a significant role in the type of resulting flavour which develops during fermentation and subsequent distillation. “Pot Still Irish Whiskey/Irish Pot Still Whiskey” is batch distilled usually in large pot stills. The large stills contribute to a unique range of reflux ratios that lead to the formation of a distinct flavour and aroma profile in the spirit. Distillation in Pot Stills enables the modification of flavour depending upon the distillation time, fractions collected as heads and tails, volumes of fractions recycled and the range of distillate cutting strengths. All of these variables influence the character of the heart of the distillate. Individual distilleries adhere to specific practices to maintain uniformity of flavour characteristics for varying types of “Pot Still Irish Whiskey/Irish Pot Still Whiskey” styles. One of these practices is the approach taken to address residual alcohol remaining on completion of the standard distillation sequence. Still residues may be collected and redistilled in column stills with the resulting feints subsequently distilled along with recycled pot still feints in a pot still. The final spirit is assessed by a trained quality control panel before release for subsequent maturation. This guarantees a uniform quality check on the consistency of the distillate. The traditional practice is to triple distil “Pot Still Irish Whiskey/Irish Pot Still Whiskey” although this practice is not exclusive and double distillation may also be employed. Triple

distillation results in a higher strength final spirit and contributes to a particular ratio of 'total higher alcohols to ester' concentration. This is manifested by a spirit which is light in aroma yet particularly sweet in taste. The maturing whiskey is stored for a minimum of three years in large, dark, and aromatic warehouses on the island of Ireland. The whiskey is contained in wooden casks, such as oak which may have been previously used to store other alcoholic beverages, for example Madeira, Sherry, Port or Bourbon. During the maturation phase interactions take place between the spirit and the cask which influences the flavour of the final product.

### **2.2.2. Malt Irish Whiskey/ Irish Malt Whiskey**

"Malt Irish Whiskey/ Irish Malt Whiskey" is made from natural raw materials, 100% malted barley, water and yeast. Other natural enzymes may also be used at the brewing and fermentation stage. Malted barley is produced to individual specification by dedicated malting companies, which may be un-peated or peated in character. By using 100% malted barley, "Malt Irish Whiskey/ Irish Malt Whiskey" has distinctive smooth, velvet, full and oily texture with a malty and sweet taste. "Malt Irish Whiskey/ Irish Malt Whiskey" is defined as a spirit made from a mash of 100% malted barley and:

- a) saccharified by the diastase of malt contained therein, with or without other natural enzymes;
- b) fermented by the action of yeast;
- c) distilled in pot stills in such manner that the distillate has an aroma and taste derived from the materials used.

### **The Production Process:**

Brewing involves preparation of a mash from 100% malted barley. The type of mash tun or mash filter used and the method employed for wort collection all play a significant role in the flavour development during fermentation and subsequent distillation. "Malt Irish Whiskey/ Irish Malt Whiskey" is batch distilled usually in smaller pot stills which enables the modification of flavour depending upon the distillation time, fractions collected as heads or tails, volumes of fractions recycled and the range of cutting strengths. These contribute to an intensity of flavoured spirit of great complexity and diversity. "Malt Irish Whiskey/ Irish Malt Whiskey" may be double or triple distilled, the choice to double or triple distil depends upon the tradition of individual distilleries. The maturing "Malt Irish Whiskey/ Irish Malt Whiskey" is stored for a minimum of three years in large, dark, and aromatic warehouses on the island of Ireland. The whiskey is contained in wooden casks, such as oak, which may have been previously used to store other alcoholic beverages, for example Madeira, Sherry, Port or Bourbon. During the maturation phase interactions take place between the spirit and the cask which influences the flavour of the final product.

### **2.2.3. Grain Irish Whiskey/Irish Grain Whiskey**

"Grain Irish Whiskey/Irish Grain Whiskey" is produced from malted barley (not exceeding 30%) and includes whole unmalted cereals usually maize, wheat or barley. Other natural enzymes may be used at the brewing and the fermentation stage:

- a) saccharified by the diastase of malt contained therein, with or without other natural enzymes;
- b) fermented by the action of yeast;

c) distilled in column stills in such manner that the distillate has an aroma and taste derived from the materials used and the column distillation method.

### **The Production Process:**

In this process, the grain is first milled into flour. Water is mixed into the flour to make a mash which is then cooked to gelatinise the cereal starch. The mash is then cooled and the malted barley is added to allow conversion of the starch to fermentable sugars by releasing the enzyme diastase. The converted mash, which usually does not undergo any solid-liquid separation, is then cooled and pumped into fermentation tanks. The fermented mash, called either beer or wash, is continuously distilled through column stills. While most “Grain Irish Whiskey/Irish Grain Whiskey” is currently triple distilled, the choice to double or triple distil depends upon the practice of individual distilleries. The spirit, typically around 94% alcohol, is reduced with local water to typically 63-70% alcohol, filled in wooden casks, and matured in warehouses on the island of Ireland for a period of at least three years. Operational techniques of the columns vary. The spirit draw off point and the volumes of side streams removed are used to produce a wide range of spirit from very light and delicate to more heavily flavoured. The skills of the distiller are most important.

#### **2.2.4. Blended Irish Whiskey/Irish Blended Whiskey**

“Blended Irish Whiskey/Irish Blended Whiskey” means a blend of two or more different whiskey types from the “Pot Still Irish Whiskey/Irish Pot Still Whiskey”, “Malt Irish Whiskey/ Irish Malt Whiskey” and “Grain Irish Whiskey/Irish Grain Whiskey” varieties. The whiskey used must be produced in Ireland in accordance with the methods outlined above. The use of any “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” in combination with any of the above varieties shall also be entitled to the description “Blended Irish Whiskey/Irish Blended Whiskey”. Historically, blending whiskey is thought to have been undertaken to smooth out irregularities in supply from the numerous distilleries on the island and provide the customer with a consistent product. Later, as lighter “Grain Irish Whiskey/Irish Grain Whiskey” became available the blender was able to produce a range of “Blended Irish Whiskey/Irish Blended Whiskey” which appealed to a wider audience and to which he could attach a brand name. Today with only three styles of whiskey and a handful of distilleries producing them, the art of blending is more important than ever not only to support the wide range of existing brands but to create new ones as tastes change. The blender uses his or her experience of flavours to choose from a range of parameters including whiskey type, distillery of origin, cask finish and age to produce each of the finished products. It takes years to acquire the skill and knowledge to become a master blender and the apprentice must have both the basic sensory aptitude and descriptive language to even begin their training. The blender will use one or two lighter whiskeys (usually “Grain Irish Whiskey/Irish Grain Whiskey”) and overlays one or more “Malt Irish Whiskey/ Irish Malt Whiskey” or “Pot Still Irish Whiskey/Irish Pot Still Whiskey” to achieve their desired flavour and consistency. The skill is to achieve a new taste that retains or enhances the component flavours but the whole is inseparable from the parts. Starting with a profile supplied by a customer or by market research the blender will produce a number of test blends before conducting consumer tests. On feedback, he or she will adjust the components or even introduce a new one until a favourable result is obtained. It is no surprise that master blenders are in short supply and gain the same respect in the industry as master distillers. They are responsible for ensuring the quality of existing brands and for innovating to create new ones.



### 2.3. Principal Chemical Characteristics:

#### 2.3.1. Alcoholic Content:

“Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” has a minimum alcoholic strength by volume of 40%.

### 2.4. Principal Organoleptic Characteristics:

“Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” has great complexity of aroma, taste and silky smoothness. “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” tends to be smooth, soft and mellow, with a range of flavours which could include fruity, honey, floral and woody flavours. They are famed for having a light and silky mouth feel.

## 3. DEFINITION OF THE GEOGRAPHICAL AREA CONCERNED

Production of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” must take place in the geographical area of the island of Ireland.

## 4. THE METHOD FOR OBTAINING THE SPIRIT DRINK

### 4.1. Stages in the Production Process:

There are four stages in the production process for “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky”: Brewing, Fermentation, Distillation and Maturation.

The **Brewing Stage** involves the preparation of a mash from cereal grains;

The **Fermentation Stage** enables the fermentation of the brewing liquor by the action of yeast;

The spirit is obtained by a process of **Distillation**

The product is then **matured** in wooden casks, such as oak for a period of not less than three years.

#### 4.1.1. Stage 1: Brewing

During the brewing process whole cereals are firstly milled and mixed with water /recycled brewing liquor. Other natural enzymes may be used at the brewing and fermentation stage. The resulting mash is then converted and the brew liquor (wort) is prepared for fermentation. Traditionally “Pot Still Irish Whiskey/Irish Pot Still Whiskey” as well as “Malt Irish Whiskey/Irish Malt Whiskey” is brewed in a batch system.

Batches are processed in a conversion vessel and or a mash tun; following this a brew liquor is collected from the mash tun or mash filter. “Grain Irish Whiskey/Irish Grain Whiskey” is normally brewed from wheat or maize and malted barley. These whole cereals are milled into a flour and heated to a high temperature prior to conversion. The brewing system uses continuous and/or batch cooking/conversion and produces an ongoing stream of fermentable liquid.

#### 4.1.2. Stage 2: Fermentation

The resulting liquid from the brewing processes is cooled and pumped to fermenters where yeast is added and the sugars in the wort are converted to alcohols and other congeners. This fermented liquid is traditionally termed “wash”.

### **4.1.3. Stage 3: Distillation**

Distillation enables the separation and refinement of spirits from the incoming wash. There are two separate technical processes related to the type of spirit distilled - the more traditional approach obtains a distillate by the use of Pot Stills, while a lighter style spirit is obtained through distillation in Column Stills. No alteration to the design and /or use of stills is permitted that would alter the flavour profile of the spirit to a profile that is not typical of Irish Whiskey new make spirit.

#### **4. 1. 3. 1 Distillation using Pot Stills**

Distillation in Pot Stills results in more fully flavoured spirits in comparison to spirits distilled through the alternative Column Stills. The fermented liquid (the 'Wash') is added in discreet batches into the first copper pot still. As the temperature in the still is raised, alcohols and congeners are removed. These vapours are condensed in a condenser and collected into a receiving vessel. This resulting first stage distillate is termed 'Low Wines'. The application of particular cutting strengths, as identified by the Distillers, determines the character of the Low Wines in terms of flavour intensity. The traditional practice in individual distilleries determines the choice to opt for either a three stage or a two stage process:

- Where a two stage process is adopted, the first stage distillates ('Low Wines') and some recycled second distillates are assembled and pumped to a second stage pot still. Once heat is applied to the pot still, an initial distillate is obtained. The first runnings, called Foreshots or Heads, are collected separately. The middle cut or heart of the distillate is selected as the spirit to go for maturation. The middle cut determines the character of the spirit in terms of taste, smoothness and flavour. After obtaining this 'middle cut', the distillation continues and the resulting alcohol, called feints, is collected and recycled in subsequent distillation sequences.
- Where triple distillation is employed the first distillate (low wines) is distilled into a second stage spirit called Feints. This second distillate is then distilled for a third time in a Spirit Still. Triple distilled spirit obtains its character from the choices and methods used to select the centre cut at the third stage rather than at the second stage.

The shape of the stills is particular to individual distilleries and is a factor in determining aroma and flavour of spirit. "Pot Still Irish Whiskey/Irish Pot Still Whiskey" is usually distilled in large pot stills. The large stills contribute to a unique range of reflux ratios that lead to the formation of a distinct flavour and aroma profile in the spirit. "Malt Irish Whiskey/ Irish Malt Whiskey" is usually distilled in smaller pot stills. These contribute to an intensity of flavoured spirit of great complexity and diversity.

#### **4.1.3.1. Distillation using Column Stills**

There are various designs of column stills. A two stage column distillation system typically consists of a beer column and rectifying column, whereas a typical three column distillation involves the use of a beer column, an extractive distillation column and a rectifying column. This enables the removal of more fractions and the resulting spirit can be quite fragrant and more lightly flavoured. "Grain Irish Whiskey/Irish Grain Whiskey" can only be distilled through column stills. This method of distillation involves:

- Passing a continuous flow of wash down through a series of perforated plates within the distilling column.
- Steam is applied at the base of the column this results in vapour moving up through apertures on each plate, removing alcohols and other congeners from the wash. The alcohol laden vapour is cooled in a condenser at the top of the column.
- This first stage vapour is distilled a second time through a secondary column. The flavour intensity of this spirit is influenced by removal of overheads from the condenser section of this column. Side stream fractions are also removed.
- Grain spirit is much less intense in flavour when compared to Pot Still distillates.
- Final spirit is removed from the second or third column at a strength of c. 94.5 % vol.

The operational techniques of columns vary. The spirit draw off point on the final column, and the volume of side streams removed enable production of a wide range of spirit from very light and delicate to more heavily flavoured spirits. The skills of the distiller are most important. The final spirit is assessed by a trained quality control panel before release for subsequent maturation. This guarantees a uniform quality check on the consistency of the distillate.

#### **4.1.4. Stage 4: Maturation**

Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” must be matured in wooden casks, such as oak, only on the island of Ireland, such maturation being for a minimum of three years. New casks as well as casks which may have been previously used to store other alcoholic beverages, for example Madeira, Sherry, Port or Bourbon, are used. The moderate Irish climate influences the rate of maturation and enables the development of particular flavour attributes. This even maturation creates a smooth tasting and mellow product. The use of seasoned casks means that the spirit is not overpowered by excessive wood extracts and tannins but delivers a complex but balanced character to the spirit and enables the development of particular flavour attributes. Colour development, which varies in colour from pale gold to dark amber, depends upon the maturation casks chosen. Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” shall not be exported from Ireland in wooden casks, such as oak or other wooden containers, which may result in further maturation of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” outside of Ireland or Northern Ireland.

#### **4.1.5. Stage 5: Bottling**

The four production stages for “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” as outlined in 4.1. take place on the island of Ireland. Bottling may take place outside Ireland. Where “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” is bottled offshore, it is shipped in inert bulk containers. The subsequent water used in the final product is demineralised to preserve the organoleptic characteristics of the “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky”. Any bottling taking place outside of the island will be subject to company controls and official verification, which will ensure the products’ safety and integrity.

##### **4.1.5.1: Chill filtration**

All Irish whiskey is filtered prior to bottling to remove any particles of wood which have accumulated in the spirit during the maturation process. It is also common, but not

always the case, that Irish whiskey will be chilled filtered prior to bottling. The purpose of chill filtration is to remove what is referred to as 'haze floc'. When subjected to low temperatures, certain of the long chain esters in Irish whiskey may come out of solution and form a haze or sediment in the bottle. Because most consumers expect Irish whiskeys to be clear and 'bright', many are filtered at a particular temperature to remove haze floc, and to ensure that the final product remains clear even when subjected to changes of temperature. The filtration used must be only for the purpose of, and go no further than, preventing haze floc. It must not be used in order to remove colour, flavour or aroma, which is prohibited by the definition of Irish whiskey.

#### **4.1.5.2: Caramel colouring E150a**

If so desired and prior to bottling, the blender may use the only additive which is permitted for Irish whiskey, namely plain caramel colouring (E150a). Irish whiskey acquires its colour through its maturation in wooden casks, such as oak. However, each cask of Irish whiskey will have a different colour. As part of the blending process the blender will seek to produce a final blend which is as close in colour to the previous batches of the brand which has been produced over the years. However, to produce exactly the same required colour, it may be necessary to use very small quantities of plain caramel colouring to adjust the colour. The use of plain caramel colouring to adjust colour has been traditional since the 19th Century. Plain caramel (E150a) is a colouring, and is not for flavouring or a sweetening.

## **5. DETAILS BEARING OUT THE LINK WITH THE GEOGRAPHICAL ENVIRONMENT OR THE GEOGRAPHICAL ORIGIN**

The 6th century is believed to be when the technique used to create "Eau de Vie" was brought to Ireland. The principles of creating "Uisce Beatha" have not changed over the years. This long and proud heritage has led to the creation of products, whose characteristics are renowned around the world. These qualities, characteristics and reputation are directly attributable to its geographical origin. This is as a result of a number of influencing factors that define the character of "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky":

### **5.1. History and Reputation:**

Distilling in Ireland probably began in the 6th century when religious monks brought the technique they used to create perfumes and "Eau de Vie" "Water of Life" to Ireland. The Gaelic translation of Water of Life "Uisce Beatha" evolved into the English word Whiskey as early as the 16th century when The Red Book of Ossary records Uisce Beatha being produced for consumption. Popular amongst the elite, Queen Elizabeth I was known to be fond of the beverage and it is said that Peter the Great Czar of Russia stated "of all the wines, the Irish spirit is the best". In the 19th Century, production evolved and the availability of steam power led to bigger pot stills and more distilleries with numbers growing from 40 in 1823 to 86 in 1840. In 1830 Aeneas Coffey, a former Inspector General of Excise in Ireland, developed and patented a more efficient method of distilling. Coffey's "Patent Continuous Distilling Apparatus" revolutionised the industry introducing continuous production which became widely adopted by the Scottish whisky industry in the late 19th Century. However, in Ireland traditional Pot still distillation continued to be used usually in larger stills, as the industry was reluctant to enter the blended whiskey market. By the early 20th century, the "Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky" industry began to decline as a result of increased excise and the closure of the US market due to prohibition,

compounded by the industry's eschewing of new technology. In addition the conflicts of World War I and the Irish Easter Rising and civil war exacerbated the decline and the number of distilleries dropped dramatically. Beginning in the 1980s the Irish Whiskey sector has been undergoing a global resurgence with increasing exports and ongoing investment taking place in the expansion and development of distilleries. The unique nature of "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky" was recognised internationally in, for example, the EU/US 1994 Spirits Agreement:

*"The USA agrees to restrict, within its regulatory framework (27 CFR 5.22 or an equivalent successor regulation), the use of the product designations... "Irish Whiskey"/"Irish Whisky"...to distilled spirits/spirit drink products of the Member States of the EC [Ireland and UK], produced in compliance with Council Regulation (EEC) No 1576/89 and with the laws of the Member States [Ireland and UK] in which those products originate."*

The popularity, renown and global reputation of "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky" is reflected in the high numbers of visitors from abroad, some 600,000 each year, who visit the five "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky" visitor centres in Ireland. (Source: Irish Whiskey Association). A visit to a whiskey distillery consistently features in the top twenty most visited attractions in Ireland (Source: Failte Ireland). In 2013 more than 6.2 million 9 litre cases were exported to over 100 countries reflecting the ongoing double digit growth in exports of "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky" (Source: Bord Bia Export Performance & Prospects 2013/14/Central Statistics Office) and it has been the fastest growing premium spirit category over the previous five years (Source: IWSR 2012).

## **5.2. Production process**

"Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky" is a distinctive whiskey which uses numerous different grain formulae, based on a distillate of a mash made from malted barley and unmalted cereals, it utilises differing production processes and is produced in a temperate climate. Each step of the distilling process plays a vital role in establishing the Irish character of the whiskey:

### **5.2.1. Cereals**

Barley imparts a distinctive character to "Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky" while further significant factors are the process of mashing/fermentation, the style of distillation and maturation and the skill employed to optimise traditional techniques.

### **5.2.2. Stills**

The size of still used in the production process helps impact a distinctive flavour and aroma profile to the "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky". Different companies use various size stills to create their own unique set of whiskeys.

### **5.2.3. Maturation**

The moderate Irish climate influences the rate of maturation and enables the development of particular flavour attributes. This even maturation creates a smooth tasting and mellow product, which varies in colour from pale gold to dark amber. This colour development depends upon the type of maturation casks chosen.

### **5.3. Natural Factors**

Natural factors have a significant effect on the quality and characteristics of “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky”. This applies whether the distillate is “Pot Still Irish Whiskey/Irish Pot Still Whiskey”, “Grain Irish Whiskey/Irish Grain Whiskey” or “Malt Irish Whiskey/ Irish Malt Whiskey”.

#### **5.3.1. Water**

The naturally occurring mineral composition (hard or soft water) of the local water supply to the distillery will impart a particular flavour to the grain during the mashing process. Water quality and quantity play an important role in the character of “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky”.

#### **5.3.2. Climate**

Ireland is affected by the mild and damp Gulf Stream. Climate plays an important part in the maturation process. The mild and warm weather enables the spirit to evenly extract wood derived compounds and colour from the cask. The Gulf Stream currents helps keep Irish winters milder and Irish summers cooler which mean “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” avoid temperature extremes during maturation.

### **5.4. Human Factors:**

Individual experience and expertise is essential in the production of “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky”. The following key personnel in every distillery help to impart the key individual characteristics of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky”:

#### **5.4.1. Maltster**

Like all stages of the distilling process, malting barley requires the skill of an expert. In this case the Maltster is the person who insures that the barley is properly malted. The length of time it takes to moisten the barley so as to begin germination and the knowledge needed to know when to stop the process is a skill acquired over time. The majority of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” is produced using unpeated malted barley. However some peated malted barley is used in the industry.

#### **5.4.2. Distiller**

The distillers manage the whole whiskey production process. This is where science and art complement each other. The traditional touch of the master distiller is needed to produce the perfect “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky”. The entire distilling process must be directed with instinctive skill and judgment.

A major turning point in the history of “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” came in 1830 when Aeneas Coffey, a former Inspector General of Excise in Ireland, developed and patented a more efficient method of distilling. “Coffey’s Patent Continuous Distilling Apparatus” (effectively a column still) revolutionised the whiskey industry and is a process used throughout the world to make whisk(e)y to this day.

#### **5.4.3. Stillman**

The role of the Stillman is to decide the appropriate point to switch between spirit cuts as the distillation sequence proceeds. This demands great skill. Different parts of the sequence impact different flavourings to the whiskey. If the cut is made too late, too

high a proportion of the tails will result in an unbalanced whiskey with unpleasant aromas. Conversely, if the cut is made too early, the spirit will be deprived from some of its components indispensable to achieve a whiskey with satisfying character. The stillman can produce a heavy whiskey by capturing a greater portion from the latter part of the distillate. Lighter spirit comes from the more central portion of the run. The unique essence of “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” depends on these cuts. The stillman has to be satisfied by sight and test before switching the runs. This skill and tradition is passed through the generations to maintain the unique properties and flavours of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky”.

#### **5.4.4. Blender**

Blending is a skill that requires the person to know how whiskey smells, tastes and how the flavours all work together. Whiskeys vary from cask to cask therefore it is important for consistency that the blender has sufficient knowledge to achieve the perfect “Blended Irish Whiskey/Irish Blended Whiskey”.

## **6. ANY REQUIREMENTS LAID DOWN BY COMMUNITY AND/OR NATIONAL PROVISIONS AND/OR REGIONAL**

### **6.1. Legislation:**

Spirit Drinks: Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15th January 2008, COMMISSION IMPLEMENTING REGULATION (EU) No 716/2013 of 25 July 2013 laying down rules for the application of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks. National legislation enforcing these including S.I. No. 429/2009 - European Communities (Spirits Drinks) Regulations 2009 amended by S.I. No. 118 of 2013 EUROPEAN COMMUNITIES (SPIRITS DRINKS) (AMENDMENT) REGULATIONS 2013 and any subsequent amendments or replacements.

Whiskey: Irish Whiskey Act 1980.

Colours: Regulation (EC) No 1333/2008 of 16th December 2008 of the European Parliament and of the Council.

Hygiene and Food Safety: Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004, amending Regulation (EC) 178/2002 of the European Parliament and of the Council of 28 January 2002.

### **6.2. General Labelling Rules:**

Labelling Advertising and Presentation of Foodstuffs: Directive ( ) 2000/13/EC of the European Parliament and of the Council of 20 March 2000 as amended by Directive 2003/89/EC of the European Parliament and of the Council of 10 November 2003 and Commission Directive 2007/68/EC of 27 November 2007.

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006, of the European Parliament and the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission regulation (EC) No 608/2004.

## 7. APPLICANT DETAILS

### 7.1. Name:

Department of Agriculture Food and the Marine

### 7.2. Address:

Food Industry Development Division  
Department of Agriculture Food and the Marine  
Agriculture House  
Kildare Street  
Dublin 2  
Ireland

## 8. Official Controls

Controls on “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” are based on meeting legislative requirements, implementing quality control systems and ongoing systems supervision of the control of the Geographical Indication “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” by the competent authorities.

Verification of compliance with the provision of this technical file in the Member States Ireland and the United Kingdom will be carried out respectively by the Revenue Commissioners and Her Majesty’s Revenue and Customs.

### 8.1. Competent Authorities

“Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” is an island of Ireland geographical indication. The two Departments responsible for geographical indications in the two jurisdictions are:

- Department of Agriculture, Food and the Marine, Agriculture House, Kildare Street, Dublin 2, IRELAND;
- Department for the Environment, Food and Rural Affairs, Area 7E Millbank, c/o Nobel House, 17 Smith Square, London, SW1P 3JR, UNITED KINGDOM.

## 9. SUPPLEMENTAL INFORMATION

### 9.1. History:

Distilling in Ireland probably began in the 6th century when religious monks brought with them the technique they used to create perfumes and “Eau de Vie” - “Water of Life”. Rather than using grapes and other fruits, the Irish used the local cereal crops as ingredients. “Uisce Beatha”, the Irish for “Water of Life”, was born. Throughout the years, as Ireland became more anglicised, the pronunciation of “Uisce Beatha” ultimately evolved into Whiskey. The Red Book of Ossary dating from the early 16th century records uisce beatha being produced for consumption, but the art was still the preserve of the religious orders. It is only following the dissolution of the monasteries in the Tudor period that whiskey ceased to be the drink of the elite. Queen Elizabeth I was known to be fond of the beverage, and she wasn’t alone. It is said that Peter the Great, Czar of Russia, mentioned that “of all the wines, the Irish spirit is the best”. The early 19th century saw dramatic growth in “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” from 40 distillers in 1823 to 86 in 1840. Demand grew rapidly with rising incomes and the availability of steam power led to more distilleries and



bigger pot stills. A wide variety of production processes, e.g. one, two or three stills, and product types, e.g. malt, peated malt and products using varying percentages of malted and unmalted cereals were in evidence in the country. In 1823, the biggest pot still recorded could hold just 750 gallons. By no later than 1867, Midleton Distillery had the world's largest still (a record that still stands today) with a capacity of 31,500 gallons. Between 1823 and 1900, the output of Ireland's distilleries quadrupled. Dublin whiskey, with its six powerhouse distilleries, dominated the Irish and world stage, employing hundreds of workers with their own cooperages, stables, blacksmiths and carpenter shops and they exported around the globe. Indeed it was about this time that the Dublin distilleries, intent on forging their uniqueness amongst other whiskeys from Scotland and provincial Ireland, introduced the idea of spelling their whiskey with an e. This phase of history is regarded as a golden era of "Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky". The whisk(e)y industries in Ireland and Scotland were extremely close for most of the 18th and into the early part of the 19th Century, with considerable movement of people between the industries of the two countries and some owners having distilleries in both. A major turning point in the history of "Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky" came in 1830 when Aeneas Coffey, a former Inspector General of Excise in Ireland, developed and patented a more efficient method of distilling. "Coffey's Patent Continuous Distilling Apparatus" (effectively a column still) revolutionised the whiskey industry. Most of the "Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky" distilleries did not embrace the new distilling technique until towards the close of the nineteenth century with the establishment of large scale double distilling facilities in Belfast, Dundalk and Derry. Dublin distillers, in particular, were proud of their distilled "Pot Still Irish Whiskey/Irish Pot Still Whiskey" which sold at a premium and traditional pot still distilling continued, usually in larger stills. A significant consequence of the new production method was that many smaller traditional pot still distillers struggled to survive against the cheaper continuous production afforded by the new Coffey still. In some cases a 100% malted barley mash was used to produce "Malt Irish Whiskey/ Irish Malt Whiskey", but most used a mash of malted barley, unmalted barley and other cereals grown in Ireland to produce "Pot Still Irish Whiskey/Irish Pot Still Whiskey". In the early 19th century both double and triple distillation took place in Ireland. Towards the end of the century a majority of the pot still distillers adopted and modified the art of triple distilling whilst the balance continued the practice of double distilling. Just as "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky" was riding a wave, the beginning of its decline was just around the corner. Recession and the onslaught of the World War I, found the Irish whiskey industry in the eye of a storm. In 1916, the Irish Easter Rising happened along with the economic turmoil which accompanied it and in 1917, all distilling in Ireland ceased as all barley was required for the war effort.

Up to this time, the largest whiskey market in the world was the USA, which also happened to be the largest export market for "Pot Still Irish Whiskey/Irish Pot Still Whiskey". In 1919, the Volstead Act was passed and Prohibition was enacted and overnight the single most important market for "Pot Still Irish Whiskey/Irish Pot Still Whiskey" was shut down. The Irish War of Independence in 1921 was followed by the Irish Civil War from 1922 to 1923. As the 1930s came to a close, the Irish whiskey industry had been decimated. Further damage was caused when bootleggers during Prohibition era USA cashed in on the Irish whiskey reputation. Much of this whiskey was of such an extraordinarily poor standard that it caused every right minded drinker to treat with extreme caution anything which purported to be "Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky". By the time Prohibition had ended in 1933, the Irish

whiskey industry was reeling and unable to cash in on the pent-up demand that the US market now represented. The Irish distillers had reduced their stocks of maturing pot-still whiskey, the reputation of which had been irrevocably damaged by the bootleggers, while the Scots were ready to expand with their stocks of ready available blended whiskey. To compound matters, in 1932 the recently emancipated Irish government entered into a Trade War with its former landlord and largest trading partner, Great Britain, culminating in exclusion to 25% of world markets. This meant that the remaining exports for “Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” disappeared behind a wall of duties and levies. By 1953, there were only six distilleries on the island, mainly based on domestic demand. These were the Jameson and Powers distilleries in Dublin, Cork Distilleries Company (CDC) in Cork, Tullamore distillery in Offaly and the Bushmills and Coleraine distilleries in Northern Ireland. By 1966, the number of distillers in Ireland had dropped to four. This became two as Jameson, Powers and Cork Distilleries merged to form Irish Distillers, then known as United Distillers of Ireland, and then finally in 1973 to one company when Bushmills merged into Irish Distillers. A new distillery was commissioned by Irish Distillers in Cork in 1975 to replace the Jameson, Powers and Midleton Distilleries which were all closed in the same year. This marked the beginning of the revival of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky”. In 1987, Cooley Distillery was established and was the first independent distillery to begin distilling “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” in over 100 years. In 1988, French multinational Pernod Ricard took over Irish Distillers and began to invest heavily in its Irish Whiskey portfolio. From a low of 400,000 cases in the 1970s, production rose from 4.4 million cases in 2008 to 6.2 million in 2013. Between 2002 and 2012, exports grew by 220% (Eurostat, COMX). According to the Distilled Spirits Council, in the US alone from 2003 to 2010, sales of “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” grew 246%.

## 9.2 Irish Whiskey Association

The Irish Whiskey Association represents the Irish whiskey industry in Ireland. The Association was established in 2014 to promote and protect Irish whiskey, including registration of Irish whiskey as a geographical Indication, appellation of origin, collective trademark or certification trademark.

## 10. SPECIFIC LABELLING RULES

“Irish Whiskey/Uisce Beatha Eireannach/Irish Whisky” cannot be labelled, packaged, sold, advertised or promoted in a way that includes a reference to the year of distillation of the whiskey. An exception to this rule is allowed if the presentation of the whiskey also includes a reference to:

- a) the year of bottling of the whiskey;
- b) the period of maturation of the whiskey; or
- c) the age of the whiskey.

If such a reference is made, it must appear in the same field of vision as the reference to the year of distillation. “Irish Whiskey/Uisce Beatha Eireannach /Irish Whisky” cannot be labelled, packaged, sold, advertised or promoted in a way that includes any reference to a period of maturation or age of the whiskey unless it is to the period of maturation or age of the youngest whiskey in the drink expressed in years and

consisting of one number (which may be expressed either as a numeral or as a word), and provided that the whiskey was aged under appropriate control and verification. The term 'Single' can only be applied to the varieties of "Pot Still Irish Whiskey/Irish Pot Still Whiskey", "Malt Irish Whiskey/ Irish Malt Whiskey" and "Grain Irish Whiskey/Irish Grain Whiskey", provided all of the whiskey in the product is distilled totally on the site of a single distillery and comes from one of these three varieties. All Irish whiskeys must bear the sales denomination "Irish Whiskey" or "Uisce Beatha Eireannach " or "Irish Whisky", unless they qualify as "Pot Still Irish Whiskey/Irish Pot Still Whiskey" or "Malt Irish Whisky/Irish Malt Whiskey "or 'Grain Irish Whiskey/Irish Grain Whiskey" or "Blended Irish Whiskey/", in which event they must bear the relevant sales denomination. These varieties may use either the spelling 'Whiskey' or 'Whisky'. The compulsory sales denomination (the relevant category description) must:

- appear on the front of the bottle and on packaging or materials used for display purposes during the marketing of the Irish whiskey;
- be prominent, printed in a conspicuous place in such a way as to be easily visible and legible to the naked eye and indelible so that it is clear that it is the sales description of the whiskey;
- be printed in a way that gives equal prominence to each word making up the name of the category;
- be as prominent as any other description of the whiskey on the container or packaging.

The compulsory sales denomination must not be:

- overlaid or interrupted by other written or pictorial matter
- used in conjunction with any other words.

Spirit drinks must not be labelled, packaged, sold, advertised or promoted in such a way to suggest they are Irish whiskey or any of the sub -varieties unless they meet the relevant requirements set out in the technical file. In English, the Geographical Indicator allows for two spellings, "IRISH WHISKEY" and "IRISH WHISKY"; Irish Whiskey with an "e" is the customary term. The customary term for the plural of Irish whiskey is 'Irish whiskeys'.

# Annex B – Irish cream Technical File

## **TECHNICAL FILE SETTING OUT THE SPECIFICATIONS WITH WHICH IRISH CREAM MUST COMPLY**

Food Industry Development Division  
Department of Agriculture, Food and the Marine  
February 2015

**Language: English**

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## **1. Name and category of spirit drink including the geographical indication**

### **1.1. Name:**

Irish Cream

### **1.2. Category of spirit drink:**

Liqueur (category 32 in Annex II to Regulation (EC) No 110/2008).

### **1.3. Description of Irish Cream:**

Blend of fresh Irish dairy cream in a flavoured/sweetened alcohol base containing Irish Whiskey and other permitted ingredients.

## **2. Principal physical, chemical and/or organoleptic characteristics**

### **2.1. Product specification:**

Irish Cream is a spirit drink with a minimum alcohol by volume of 15% v/v. They are only produced on the island of Ireland including Northern Ireland and consist of stable emulsions of fresh Irish dairy cream in a flavoured and sweetened alcohol base, and which contain Irish whiskey as defined by the Irish Whiskey Act, 1980 and its amendments and the technical file under Regulation (EC) No 110/2008.

### **2.2. Appearance:**

The spirit drink is cream coloured and its hue can vary depending on specific flavours and ingredients. The product has a homogenous and smooth consistency providing a stable emulsion without appearances of physical instability during its commercial shelf-life.

The dairy cream in addition to the process of homogenisation of the cream liqueur, which occurs during production, confers a smooth texture and perceptibly pleasant mouth-feel whilst, on imbibing, the gradual melting of the butter-fat over time delivers a progressive release of the flavour compounds present and improves sensory perceptions during consumption.

### **2.3. Compositional Standards:**

#### **2.3.1. Dairy Content:**

Irish Cream liqueur shall contain a minimum of 10% milk fat when measured on a weight/volume basis in the final product. The milk fat content in Irish Cream liqueur shall consist of fresh Irish dairy cream produced on the island of Ireland including Northern Ireland from Irish milk obtained on the island of Ireland including Northern Ireland and which complies with Council Regulation 2597/97 as amended. Cream means that part of the cow's milk which is rich in fat, and which has been separated by skimming or otherwise and obtained from milk. It shall be pasteurised but shall not be sterilised, UHT treated or frozen.

#### **2.3.2. Alcohol Content:**

The minimum alcoholic strength of Irish Cream is 15% v/v which is obtained by the use of ethyl alcohol of agricultural origin or from distillates of agricultural origin. A portion of the final alcohol content will arise by reason of the presence of Irish whiskey and additionally any alcohol of agricultural origin present in the flavours used in the production of Irish Cream.

#### **2.3.3. Irish Whiskey content:**

The alcohol content of Irish Cream shall contain a minimum of 1% of Irish Whiskey. Such whiskey must comply with the requirements specified in the Irish Whiskey Act, 1980 and any subsequent amendments and the technical file under Regulation No 110/2008.

#### **2.3.4. Sweetening / Sugar use:**

Irish Cream has a minimum sugar content, expressed as invert sugar, of 100 grams per litre. This sugar can be in the form of any one or any combination of more than one sweetener as permitted in Annex I of Regulation 110/2008.

#### **2.3.5. Other Ingredients**

The flavours, emulsifiers, stabilisers, chelating agents and colours contained in the product shall be those permitted for use in food or alcoholic beverages by legislation.

#### **2.3.6. Final Composition:**

The final product shall embrace the characteristics, taste and properties of Irish Cream Liqueur. Irish Cream Liqueur cannot be produced in concentrated form for future reconstitution in a secondary location off the island of Ireland.

### **3. Definition of the geographical area concerned**

Production of Irish Cream must take place in the geographical area of the island of Ireland.

### **4. The method for obtaining the spirit drink**

Irish Cream Liqueur consists of a mixture of fresh Irish dairy cream, alcohol, together with sugar and/or honey or other sweetening agent (carbohydrates, flavourings and other ingredients) and contains Irish Whiskey. The levels and percentage of each ingredient present may vary, thus contributing to brand individuality.

There are two methods for the production of Irish Cream.

#### **4.1. Method 1 – ‘Single Stage’**

- i. Initial spirit premix – preparation includes the combining of alcohol, carbohydrates, water and also usually flavourings and colourings;
- ii. Second premix - sometimes termed a *protein premix*, is prepared by:
  - a) Dissolving citric acid (or its salt) and dairy protein and/or other natural proteins, in water. Further emulsifiers may be added to better reinforce the dairy emulsifier.
  - b) Mixing this thoroughly with Irish dairy cream.
- iii. The product mixture is finally prepared by mixing the *initial spirit premix* with the *second/protein premix*.
- iv. *The complete* product mixture is *homogenised* so that the average particle size of the cream globule is reduced to less than 5 microns, preferably less than 2 microns.

The addition of dairy protein and/or other natural proteins, which together act as emulsifiers to the dairy cream, is an essential part of the production process as effective emulsification imparts shelf life to Irish Cream by protecting the dairy cream from the otherwise adverse effects of the alcohol present.

#### **4.2. Method 2 – ‘Two Stage Process’**

- i. A protein premix, is prepared by:



- a) Dissolving citric acid (or its salt) and dairy protein, and/or other natural proteins, in water. Further emulsifiers may be added to better reinforce the dairy emulsifier.
- b) Mixing this thoroughly with Irish dairy cream.
  - ii. The mixture is homogenised so that the average particle size of the cream globule is reduced to less than 5 microns, preferably less than 2 microns.
  - iii. The spirit premix is prepared and includes the combining of alcohol, carbohydrates, water, and also usually flavourings and colourings;
  - iv. The spirit premix is subsequently added to the homogenised mixture outlined in point ii above.

#### **4.3. Differences between the two methods**

The difference in the two processes consequently lies in the fact that in the single stage process all ingredients are homogenized while, in the two stage process, only the dairy and emulsified portions are homogenised.

Both processes outlined above are designed to ensure effective emulsification of the milk fat globule and the subsequent reduction of the emulsified milk fat globule particle size to ensure that the criteria of Stokes' Law are optimised in the final product. The creation of these properties consequently ensures that the normally incompatible mixture of Irish dairy cream and alcohol will remain stable for the appropriate commercial shelf life.

#### **4.4. Bottling**

Irish Cream is manufactured on the island of Ireland. Bottling may take place outside the island. Any bottling taking place outside of the island will be subject to company controls and official verification, which will ensure the products' safety and integrity. When bottled outside of Ireland, the label must say so – expressed as 'Bottled in \_\_\_\_\_'.

### **5. Details bearing out the link with the geographical environment or the geographical origin**

Three elements form the basis for the claim for a Geographical Indication for Irish Cream.

#### **5.1 Irish Dairy Cream**

Irish Cream Liqueur must contain fresh Irish dairy cream coming from Irish milk which complies with Council regulation 2597/97 of 18 December 1997 or equivalent. Irish milk is milk produced on the island of Ireland including Northern Ireland.

Since the unique Irish seasonal and cattle herd husbandry practices affect milk and milk-fat characteristics, the use of this ingredient imparts distinctive quality and organoleptic properties to the final product.

Irish dairy products have intrinsic characteristics due to Ireland's geographic location and its climatic seasonality, giving such products a number of unique characteristics. As an island washed by the Gulf Stream, Ireland experiences a much more moderate climate than it might otherwise expect at this latitude. In consequence, the resulting climate is uniquely suited for grass production. The seasonality of grass production affects cattle feeding patterns and other major aspects of animal husbandry, such as the particularly extensive reliance on grass as a natural feedstuff. All these circumstances make Ireland uniquely suited to the production of dairy produce with consistent and superior quality.

## **5.2 Irish Whiskey**

The unique, intrinsic qualities of the product are enhanced by its Irish Whiskey content, which must be used in the production of Irish Cream. Irish Whiskey is a Geographical Indication and is a distinctive whiskey which has flavours that develop as a result of the use of Irish grain, water and maturation in wooden casks on the island of Ireland for a minimum of three years. The creation of Irish whiskey is a highly skilled process and requires the individual experience and expertise of the Distiller, stillman and blender to ensure the finest, high quality whiskey is produced.

## **5.3 Production Techniques**

The technique of creating cream liqueurs was developed in Ireland. The creative combination of fresh Irish dairy cream, spirits and Irish Whiskeys proved an instant hit among consumers. This success resulted in other producers around the world replicating the technique to produce similar products. Irish Cream, as the original, continues to be the most popular product within the liqueur category.

The original adoption, subsequent optimisation and commercialisation of the production techniques in Ireland further supports the Geographical Indication claim for Irish Cream.

## **6. Requirements laid down by Community and/or national provisions and/or regional**

### **6.1. Spirit Drinks:**

Regulation (EC) No. 110/2008 of the European Parliament and of the Council of 15th January 2008, Commission Implementing Regulation (EU) No 716/2013 of 25 July 2013 laying down rules for the application of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks. National legislation enforcing these including SI No 429/2009 – European Communities (Spirits Drinks) Regulation 2009 amended by SI No 118 of 2013 European Communities (Spirit Drinks) (Amendment) Regulation 2013 and any subsequent amendment or replacements.

### **6.2. Milk:**

REGULATION (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

### **6.3. Cream:**

Council Regulation (EEC) No. 1898/87 of 2 July 1987 (amended by Commission Regulation (EEC) no 222/88 and Council Decision 95/1/EC)

### **6.4. Whiskey:**

Irish Whiskey Act 1980

### **6.5. Colours.**

Regulation (EC) No 1333/2008 of 16th December 2008 of the European Parliament and of the Council on food additives and amendments. And Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed

in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and amendments.

#### **6.6 Sweeteners:**

Regulation (EC) No 1333/2008 of The European Parliament and of the Council of 16 December 2008 on food additives and amendments. And Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and amendments.

#### **6.7 Hygiene and Food Safety:**

Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004, amending Regulations (EC) 178/2002 of the European Parliament and of the Council of 28 January 2002, *Commission Regulation (EC) No 1019/2008 of 17 October 2008*. And Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009.

#### **6.8 Labelling Advertising and Presentation of Foodstuffs:**

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006, of the European Parliament and the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission regulation (EC) No 608/2004.

#### **6.9. Flavouring:**

Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Regulation (EC) No 1601/91 of the Council, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC.

### **7. Name and address of Applicant**

#### **7.1. Applicant name:**

Department of Agriculture, Food and the Marine

#### **7.2. Address:**

Food Industry Development Division  
Department of Agriculture, Food and the Marine  
Agriculture House  
Kildare Street  
Dublin 2  
Ireland

### **8. Official controls**

Controls on Irish Cream are based on meeting legislative requirements, implementing quality control systems and ongoing systems supervision of the control of the Geographical Indication “Irish Cream” by the competent authorities.

Verification of compliance with the provision of this technical file in the Member State's Ireland the United Kingdom will be carried out respectively by the Department of Agriculture, Food and the Marine and Her Majesty's Revenue and Customs..

### 8.1 Competent authorities

Irish Cream is an island of Ireland geographical indication. The two Departments responsible for geographical indications in the two jurisdictions are:

- Department of Agriculture, Food and the Marine, Agriculture House, Kildare Street, Dublin 2, IRELAND;
- Department for the Environment, Food and Rural Affairs, Areas 7 E Millbank. C/o Nobel House, 17 Smith Square, London SW1P 3JR, UNITED KINGDOM

## 9. Supplemental information

### 9.1. History:

Irish Cream is a relatively recent addition to the pantheon of traditional Irish drinks. Indeed when they were first unveiled in Dublin in 1974, Irish Cream created a novel category of spirit drinks. The combination of fresh Irish dairy cream, spirits and Irish whiskey has proven to be extremely popular and Irish Cream Liqueurs have contributed substantially to the global growth of the liqueur sector.

### 9.2 Economics and exports:

Irish Cream Liqueurs are very valuable to numerous and varied sectors of the Irish economy but most particularly to the Irish dairy industry. Approximately 350 million litres of fresh Irish milk are required annually to produce Irish Cream Liqueur. Apart from the direct value of the huge export of Irish Cream, the added-value of the procurement of quality Irish raw materials and premium packaging currently accounts for a major contribution to our national economy. It is estimated that currently Irish Cream Liqueur is the largest contributor to Irish beverage exports with over 270 hundred thousand bottles being produced daily. Over 90% of Irish Cream is exported. Many employment opportunities were created in Irish Cream plants and also in the factories and processing plant of their suppliers.

## 10. Specific Labelling Rules

Irish Cream Liqueurs must bear the sales denomination "Irish Cream Liqueur" or "Irish Cream". The compulsory sales denomination (the relevant category description) must:

- Appear on the front of the bottle and on packaging or materials used for display purposes during the marketing of Irish Cream ;
- Be prominent, printed in a conspicuous place in such a way as to be easily visible and legible to the naked eye and indelible so that it is clear that it is the sales description of the liqueur;
- Be printed in a way that gives equal prominence to each word making up the name of the category;
- Be as prominent as any other description of the liqueur on the container or packaging.

The compulsory sales denomination must not be:

- Overlaid or interrupted by other written or pictorial matter
- Used in conjunction with any other words.

Spirit drinks must not be labelled, packaged, sold, advertised or promoted in such a way to suggest they are Irish Cream Liqueur unless they meet the relevant requirements set out in the technical file. Irish Cream is a geographical indication. The geographical link is supported by the presence of Irish dairy cream, Irish Whiskey and the creation of the category on the island of Ireland. In the context of a reference to the geographical indication status, a reference to Irish Whiskey content which includes details of other alcohol content can be made.

# Annex C – Irish poteen Technical File

## **TECHNICAL FILE SETTING OUT THE SPECIFICATIONS WITH WHICH IRISH POTEEN/IRISH POITÍN MUST COMPLY**

Food Industry Development Division  
Department of Agriculture, Food and the Marine  
February 2015

**Language: English**

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## **9. LABELLING**

## **1. NAME AND CATEGORY OF SPIRIT DRINK INCLUDING THE GEOGRAPHICAL INDICATION:**

### **1.1. NAME:**

Irish Poteen/Irish Poitín

### **1.2. CATEGORY OF SPIRIT DRINK:**

The name “Irish Poteen/Irish Poitín” applies to spirits distilled on the island of Ireland including Northern Ireland and which complies with the requirements of Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008. Adherence to these stipulations enables such spirits to comply with the requisite category other spirit drink, i.e. Product Category ‘Other spirit drink’ Annex II of the Regulation EC) No 110/2008 and merit the Geographic Indicator: Irish Poteen/Irish Poitín as outlined in Annex III of the Regulation EC) No 110/2008.

## **2. DESCRIPTION OF THE SPIRIT DRINK INCLUDING PRINCIPAL PHYSICAL, CHEMICAL AND ORGANOLEPTIC CHARACTERISTICS OF THE PRODUCT.**

“Irish Poteen/Irish Poitín” is a traditional Irish distilled beverage, with no definitive official date recorded as to when it was first produced. The word Poitín stems from the Irish (Gaelic) word "Pota" for Pot, this refers to the small pot still used by Poitín distillers. It is a spirit distilled on the island of Ireland, including Northern Ireland, traditionally brewed, fermented and distilled from cereals, grain, whey, sugar beet molasses and potatoes.

“Irish Poteen/Irish Poitín” has an infamous history in Ireland, having gained somewhat of a notorious reputation of being an illicit spirit whose production was illegal from 1661 to 1997 due to excise regulations. It is traditionally a clear, non-aged spirit, and this is the key differentiation between “Irish Poteen/Irish Poitín” and Irish Whiskey, which is matured in wooden casks for not less than three years.

## **2.1 PRINCIPAL CHEMICAL CHARACTERISTICS**

### **2.1.1 ALCOHOLIC CONTENT**

The illicit nature of “Irish Poteen/Irish Poitín” meant there were no official controls over the alcohol content, which led to a variety of strengths being produced. Since 1997, modern day “Irish Poteen/Irish Poitín” is a minimum of 40% alcoholic strength by volume, with some products as high as 90%.

### **2.1.2 PRINCIPAL ORGANOLEPTIC CHARACTERISTICS**

“Irish Poteen/Irish Poitín” distillate is a clean, clear spirit that is light, smooth and robust in character. It retains the flavours and aromas from the original raw materials used and the production process. This can include raw cereal, cooked grain, fruity esters and spice.

## **3. DEFINITION OF THE GEOGRAPHICAL AREA CONCERNED:**

Production of “Irish Poteen/Irish Poitín” must take place in the geographical area of Ireland.

## **4. THE METHOD FOR OBTAINING THE SPIRIT DRINK:**

### **4.1 STAGES IN THE PRODUCTION PROCESS**



There are three stages in the production process for “Irish Poteen/Irish Poitín”. The illicit nature of the product led to many different ingredients being used in its production traditionally. The processes specific to the most widely-used ingredients are outlined below.

#### **4.1.1 Stage 1: Brewing**

The brewing process will vary depending on the type of raw materials used. The different types of processes are outlined in section 4.1.5. The brewing stage will produce a balanced fermentation medium (wort), containing fermentable sugars.

#### **4.1.2 Stage 2: Fermentation**

The mash produced at the brewing stage can be fermented as a clear liquid or as a ‘solids-in’ fermentation. For a clear liquid (wort) the mash will be filtered in a lauter tun or mash filter to remove the solids. For a ‘solids-in’ fermentation this solids separation step is omitted.

At the start of fermentation yeast is added and during the course of the fermentation the yeast will convert the fermentable sugars into alcohol and other flavour congeners. The resultant liquid is known as ‘wash’.

#### **4.1.3 Stage 3: Distillation**

“Irish Poteen/Irish Poitín” is traditionally distilled in small pot stills and this allows the separation of the spirit and congeners from the fermented wash. More recently a variety of stills have been used including hybrid and column stills. In order to maintain the typical character of the distillate no subsequent treatments, such as activated charcoal filtration, are permitted. A batch of wash is added to the still and heat is applied. The wash boils resulting in an alcohol and congener rich vapour rising up the neck and then into the condenser where it is condensed into a liquid called ‘Low Wines’. Distillers may apply particular cutting strengths in order to influence the character of the distillate. “Irish Poteen/Irish Poitín” must be distilled at a strength not exceeding 94.7% by volume in such a way that the distillate has an aroma and taste derived from the materials used.

The maximum methanol content of “Irish Poteen/Irish Poitín” shall be 30 grams per hectolitre of 100% vol. alcohol.

#### **4.1.4 Stage 4: Bottling**

The three production stages for “Irish Poteen/Irish Poitín” as outlined in 4.1 take place on the island of Ireland. Bottling may take place outside Ireland. Where “Irish Poteen/Irish Poitín” is bottled offshore, it is shipped in inert bulk containers. The subsequent water used in the final product may be distilled, demineralised, permuted or softened in accordance with Annex 1 of Regulation 110/2008 in order to preserve the organoleptic characteristics of the “Irish Poteen/Irish Poitín”. Any bottling taking place outside of the island will be subject to company controls and verification by the control body, which will ensure the products’ safety and integrity.

## **4.1.5 Production processes for specific raw materials**

### **4.1.5.a: Cereals**

A range of cereals can be used but the most common are barley and malted barley. The cereals are initially milled and then mixed with water to make a mash. This mash is put through a brewing programme to extract and convert the cereal starch into fermentable sugars. Malted barley can be used as a source of diastase but other natural enzymes may also be used.

The mash produced at the brewing stage can be fermented as a clear liquid after removal of spent grain solids or alternatively as a 'solids-in' fermentation. For a clear liquid (wort) the mash will be filtered in a lauter tun or mash filter to remove the solids. For a 'solids-in' fermentation this solids separation step is omitted.

At the start of fermentation yeast is added and during the course of the fermentation the yeast will convert the fermentable sugars into alcohol and other flavour congeners. The resultant liquid is known as 'wash'.

The distillation process is as set out in section 4.1.3.

### **4.1.5.b: Potatoes**

Potatoes are traditionally used unpeeled and a small amount of malted barley may be used. Whole or chopped potatoes are cooked initially in water in order to gelatinise the potato starch after which more water is added to form a mash and then cooled to approximately 66°C. At this stage some milled malted barley may be added and the mash is allowed to liquefy and saccharify where the potato starch is converted to fermentable sugars. The malted barley can be used as a source of diastase but other natural enzymes may also be used.

The distillation process is as set out in section 4.1.3.

### **4.1.5.c: Sugar beet molasses**

Sugar beet molasses is a by-product of the sugar industry and contains varying amounts of ash and fermentable sugars. The level of these sugars can be adjusted with the addition of water to allow fermentation with yeast. After fermentation the ethanol can be distilled in as outlined in section 4.1.3, resulting in a clear spirit that contains the flavour and aroma found in the raw materials used.

The distillation process is as set out in section 4.1.3.

## **4.1.6. Additional processes**

### **4.1.6.a: Macerations and infusions**

Flavouring derived from maceration and infusion processes are a traditional feature of "Irish Poteen/Irish Poitín". Such macerations and infusions are made with indigenous Irish ingredients such as fruits, spices, berries, herbs and other naturally occurring plant materials which may result in a change of colour. There are specific labelling requirements for "Irish Poteen/Irish Poitín" that have used maceration or infusion processes, the detail of which are outlined in section 9.

### **4.1.6.b: Flavourings**

Flavoured Irish Poitín/Poteen is "Irish Poteen/Irish Poitín" which has been given a predominant flavour other than that of the raw materials. Commercially prepared flavouring may be sourced outside Ireland but only flavourings which are consistent

with indigenous Irish ingredients and naturally occurring plant materials are permitted. There are specific labelling requirements to this variety, the detail of which is outlined in section 9.

#### **4.1.6.c: Limited Storage in Casks**

Irish Poteen/Irish Poitín produced using at least two of the specific raw materials from the ingredients list in section 2, one of which must be non-cereal, may be held in wooden casks for a period not exceeding 10 weeks following production. There are specific labelling requirements for this practise, the detail of which is outlined in section 9.

## **5. DETAILS BEARING OUT THE LINK WITH THE GEOGRAPHICAL ENVIRONMENT OR THE GEOGRAPHICAL ORIGIN:**

### **5.1 DETAILS OF THE GEOGRAPHICAL AREA OR ORIGIN RELEVANT TO THE LINK**

1. The word Poitín stems from the Irish (Gaelic) word "Pota" for Pot, this refers to the small pot still used by Poitín distillers.
2. Irish Poteen/Irish Poitín” is distilled from Irish ingredients, which traditionally have included cereals, grain, molasses, sugar beet, whey and potatoes, and which a minimum of 50% must be sourced in Ireland.
3. “Irish Poteen/Irish Poitín” has an infamous history in Ireland, having gained somewhat of a notorious reputation of being an illicit spirit whose production was illegal from 1661 to 1997 due to excise regulations. It is traditionally a clear, non-aged spirit.
4. Specific distilling skills have been created and developed based on the particular ingredients used in distillation.

### **5.2 SPECIFIC CHARACTERISTICS OF THE SPIRIT DRINK ATTRIBUTABLE TO THE GEOGRAPHICAL AREA**

#### **5.2.a: History and Reputation**

Irish Poteen/Irish Poitín” is a traditional Irish distilled beverage. The word Poitín stems from the Irish (Gaelic) word "Pota" for Pot, referring to the small pot still used by “Irish Poteen/Irish Poitín” distillers. It is traditionally distilled from cereals, grain, whey, sugar beet molasses and potatoes.

Owing to its illicit heritage, there is no definitive record of when “Irish Poteen/Irish Poitín” was first produced in Irish history. Archaeological records suggest distilling was at least a domestic operation around 1400 and that the associated stills ranged from half gallon to 100 gallons. In 1556 a licence issued by the Lord Deputy under the Great Seal was necessary to make spirit.

However, with the introduction of excise duty in Ireland in 1661 and legal restrictions on distilling, the authorities sought ways of simplifying tax collection. Regulation by the authorities was designed to encourage the use of large commercial stills, It was also a requirement that such stills be registered. For many years that followed, spirits could be produced by:

- (a) specified persons (based on property valuations) could distil for household use, however, it was stipulated that the stills used had a maximum capacity of 12 gallons;
- (b) tavern keepers who were permitted to distil for sale on their premises;
- (c) commercial distillers who distilled for general sale.

As restrictions increased so too did the practice of illicit distillation. “Irish Poteen/Irish Poitín” was generally produced in remote rural areas, away from the interference of the law. It was common practice that stills were set up on land boundaries so the issue of ownership could be disputed. The purpose of this was to avoid the payment of duty. In 1731 an Act [5 George 2,c.3, section 13-14] was passed to “prohibit distilling in the mountainous part of the Kingdom, remote from any market town”. Accordingly, records in Ireland state that from 25 March 1732 stills could only be erected in market towns or towns within two miles of them.

Prior to the introduction of bottled gas, the fire to heat the wash was provided by turf. However, smoke was a giveaway for the police, so distillation generally took place during windy, broken weather in order to disperse smoke and avoid detection. In later years, the heat was provided by gas and this reduced the risk of being discovered by the police while distilling.

In Ireland in the 1780s stills with a capacity of less than 200 gallons were banned and larger stills were incentivised by receiving a duty rebate. From the 1780s until 1809 “Irish Poteen/Irish Poitín” grew and reached its pinnacle. 1809 saw the removal of the restriction on large stills and also on the duty rebate.

In 1823 excise duty was cut in half and incentives towards illicit distillation started to decline owing to the complex relationship between the price of grain, level of spirit duties and police efficiency.

In the early 19th century malted barley was the main ingredient of “Irish Poteen/Irish Poitín”. However, the government applied a malt tax and unmalted grain was increasingly used. By 1880 molasses was commonly used and by the 1900s sugar, potatoes, treacle and even apples were used.

Within the confines and limitations of illicit distillation traditional processes employed in the production were malting, brewing and distillation. The process produced singlings- which were re-distilled into doublings-sometimes using charcoal in the stills. Stills had four parts which consisted of a vessel, cap, arm and the worm. Typically stills had a capacity of 10-80 gallons. They were made of tin because of the high costs of copper at the time and also due to the risk of confiscation. However, the worm was made of copper. It was also common practice to hire the still for each operation. The quality of the “Irish Poteen/Irish Poitín” was known to be highly variable depending on the skill of the distiller and the quality of his equipment. Vats for brewing used herring barrels, or post-famine American flour barrels. “Irish Poteen/Irish Poitín” at this time had a wide economic appeal and even church dues, tithes benefitted.

The old style of “Irish Poteen/ Irish Poitín” distilling was from a malted barley base for the mash. In more recent times, some distillers deviated from using malted barley as a base of the mash bill due to the cost and availability. This led to many distillers switching to the use of treacle, corn and potatoes. Historically the spirit was renowned for retaining its smoke/malt flavour and this was considered to be one of the defining characteristic of “Irish Poteen/Irish Poitín” at that time. This is not a flavour which one would expect to find today as turf fires are no longer used to heat stills owing to technical advancements. Today the flavour is derived from the base ingredients used.

Towards the end of the 20th century the Irish Authorities permitted legally distilled product intended for export to be described as Poteen/Poitin. Product was sold and stocked in Shannon and Dublin Duty free in 1971. Irish Poteen/ Irish Poitín was available on the Irish home market since 1997. Since that time the possibility of taking advantage of modern technology including column distillation has been available to producers. Since then it has been a small, but growing industry. “Irish Poteen/Irish Poitín” is now exported to numerous countries worldwide, with exports expected to grow to 1 million cases by 2025.

### **5.2.b: Production Process**

“Irish Poteen/Irish Poitín” is a distinctive spirit drink which is distilled using a variety of ingredients, it utilises differing production processes.. Each step of the distilling process plays a vital role in establishing the Irish character of the spirit drink:

#### **5.2.b.1: Ingredients**

“Irish Poteen/Irish Poitín” is distilled from Irish ingredients, which traditionally have included cereals, grain, molasses, sugar beet, whey and potatoes, and which a

minimum of 50% must be sourced in Ireland. Some “Irish Poteen/Irish Poitín” derive flavours from maceration and infusion processes, which are made with indigenous Irish ingredients such as fruits, spices, berries, herbs and other naturally occurring plants. The inclusion of differing Irish ingredients will result in a change in the flavour profile and in the colour, both of which will vary depending on the choice of ingredient.

### **5.2.b.2: Stills**

The word Poitín stems from the Irish (Gaelic) word "Pota" for Pot, this refers to the small pot still used by “Irish Poteen/Irish Poitín” distillers. A variety of stills have been used since 1997. The size of the still used in the production process helps impact a distinctive flavour and aroma profile to the “Irish Poteen/Irish Poitín”.

### **5.2.c: Human Factors**

Individual experience and expertise is essential in the production of “Irish Poteen/Irish Poitín”. Of particular importance are the distillers. The distillers manage the “Irish Poteen/Irish Poitín” production process. This is where science and art complement each other. The traditional touch of the distiller is needed to produce “Irish Poteen/Irish Poitín”. The entire distilling process must be directed with instinctive skill and judgment. As a multitude of base ingredients may be used in the production of “Irish Poteen/Irish Poitín” each distiller must have specific skills for the particular ingredients used.

## **6. ANY REQUIREMENTS LAID DOWN BY COMMUNITY AND/OR NATIONAL PROVISIONS AND/OR REGIONAL:**

**Spirit Drinks:** Regulation (EC) No. 110/2008 of the European Parliament and of the Council of 15th January 2008, Commission Implementing Regulation (EU) No 716/2013 of 25 July 2013 laying down rules for the application of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks. National legislation enforcing these including SI No 429/2009 – European Communities (Spirits Drinks) Regulation 2009 amended by SI No 118 of 2013 European Communities (Spirit Drinks) (Amendment) Regulation 2013 and any subsequent amendment or replacements.

**Colours:** Regulation (EC) No 1333/2008 of 16th December 2008 of the European Parliament and of the Council on food additives and amendments. And Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and amendments.

**Flavouring:** Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Regulation (EC) No 1601/91 of the Council, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC.

**Hygiene and Food Safety:** Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004, amending Regulations (EC) 178/2002 of the European Parliament and of the Council of 28 January 2002, Commission Regulation (EC) No 1019/2008 of 17 October 2008. And Regulation (EC) No 219/2009 of the European Parliament and of the Council of 11 March 2009.

**Labelling Advertising and Presentation of Foodstuffs:** Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the

provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006, of the European Parliament and the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission regulation (EC) No 608/2004

“Irish Poteen/Irish Poitín” is an all-Ireland geographical indication. The two Departments responsible for geographical indications in the two jurisdictions are:  
Department of Agriculture, Food and the Marine

Kildare Street

Dublin 2

IRELAND

and

Department for Environment, Food and Rural Affairs

Area 7 E Millbank

c/o Nobel House

17 Smith Square

London

SW1P3JR

UNITED KINGDOM

Controls

Controls on “Irish Poteen/Irish Poitín” are based on meeting legislative requirements, implementing quality control systems and ongoing systems supervision of the control of the Geographical Indication “Irish Poteen/Irish Poitín” by the competent authorities. Verification of compliance with the provisions of this technical file in the Member States Ireland and the United Kingdom will be carried out respectively by the Revenue Commissioners and Her Majesty’s Revenue and Customs

## **7. NAME AND ADDRESS OF APPLICANT:**

*Applicant name:* **Department of Agriculture Food and the Marine**

*Address:*

**Food Industry Development Division**

**Department of Agriculture Food and the Marine**

**Agriculture House**

**Kildare Street**

**Dublin 2**

**Ireland**

**Email: [geographicalindications@agriculture.gov.ie](mailto:geographicalindications@agriculture.gov.ie)**

## **8. SUPPLEMENTAL INFORMATION:**

Spirit drinks must not be labelled, packaged, sold, advertised or promoted in such a way to suggest they are “Irish Poteen/Irish Poitín” unless they meet the relevant requirements set out in the technical file.

While the name became legal on the Irish market in March 1997, geographical protection did not commence until 20 May 2008 under Regulation No (EC) 110/2008. Products which were continually in production from 1997, which are traditionally distilled at a strength above 94.7% by volume, may continue to be placed on the market as Irish Poteen/Irish Poitín.

## 9. LABELLING

The Geographical Indicator allows for both spellings, “IRISH POTEEN” and “IRISH POITÍN”.

All must bear the sales denomination “Irish Poitín” or “Irish Poteen”.

The compulsory sales denomination (the relevant category description) must:

appear on the front of the bottle and on packaging or materials used for display purposes during the marketing of the Irish Poitín/Irish Poteen;

be prominent, printed in a conspicuous place in such a way as to be easily visible and legible to the naked eye and indelible so that it is clear that it is the sales description of the spirit;

be printed in a way that gives equal prominence to each word making up the name of the category;

be as prominent as any other description of the spirit on the container or packaging.

The compulsory sales denomination must not be:  
overlaid or interrupted by other written or pictorial matter

used in conjunction with any other words.

For “Irish Poteen/Irish Poitín” products that have flavourings derived from a maceration or infusion process, the product may bear an additional line stating the ingredient used, “Made from an infusion of...”

Flavoured Irish Poitín/Irish Poteen must be labelled as ‘Flavoured Irish Poitín’ or ‘Flavoured Irish Poteen’ and may reference the flavouring used, “Flavoured with...”

Irish Poteen/Irish Poitín that has been stored for a period not exceeding 10 weeks after production shall indicate this on the rear label and shall be labelled “Stored/held in wood for .... weeks”. There shall be no reference to casks, maturation or ageing on labels, presentation, marketing/promotional or packaging material. The mix of raw materials used must be included on the label.

The phonetic spelling ‘Irish Potcheen’ may be used to aid consumers with the pronunciation of the product, as long as it is in addition to the sales denomination.

Irish Poteen/Irish Poitín which has an abv of over 70% requires additional information on labels to advise consumers of the strength of the product.

Spirit drinks must not be labelled, packaged, sold, advertised or promoted in such a way to suggest they are “Irish Poteen/Irish Poitín” unless they meet the relevant requirements set out in the technical file