



HM Revenue
& Customs

January 2021

Spirit Drinks Verification Scheme Technical Guidance:

Irish whiskey, Irish cream and Irish poteen verification

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

1. Summary

1.1 The purpose of this Notice

This Notice will help you find out:

- if you need to apply for verification of the processes you use to make Irish whiskey, Irish cream and Irish poteen in Northern Ireland or bottle it elsewhere
- When and how to apply for verification
- What fees you need to pay for your verification
- What will happen during a visit, if one is applicable

1.2 What this Notice covers

This notice outlines how HMRC will verify compliance with the Technical File for Irish whiskey, Irish cream and Irish poteen and recover its associated verification costs.

1.3 Who should read this Notice

This notice should be read by any person or business carrying out any of the production processes set out below for Irish whiskey, Irish cream and Irish poteen

Irish whiskey	Irish cream	Irish poteen
Brewing	Single Stage Process	Brewing
Fermentation	2 Stage Process	Fermentation
Distilling	Bottling	Distillation
Maturation	Labelling	Bottling and Labelling
Blending, Bottling and Labelling		

NB. The brewing, fermentation and distillation of Irish whiskey and Irish poteen must take place at the same site.

1.4 Contact for further advice

You should contact HMRC's Spirit Drinks Verification Unit (SDVU) by email at enquiries.sdvs@hmrc.gsi.gov.uk

The SDVU will be able to help with any queries which relate specifically to your application, for example, the proposed date for a verification visit, the payment of verification fees or changes to your business details.

You should also use this email address to notify us of any changes to your details and for queries relating to Irish whiskey, Irish cream and Irish poteen verification.

Electronic communication is preferred to minimise costs, which are rechargeable to the industry, and to ease administration on the verification scheme. The SDVU has a number of other email addresses to be used for specific purposes. It is important that you use these email addresses for their intended purpose to ensure that HMRC deal with your communication without undue delay.

For all general enquiries and notification of changes:

enquiries.sdvs@hmrc.gsi.gov.uk

For orders and general enquiries regarding certificates of age and origin:

certificates.sdvs@hmrc.gsi.gov.uk

1.5 What's changed (January 2021)

This Notice has been updated following the end of the Transition Period, reflecting the United Kingdom's exit from the European Union. Legal references have been updated as required.

2. Irish spirit drinks verification: General

2.1 Geographical Indication

Registered Geographical Indications are a type of intellectual property, which identify products (in this case Irish whiskey, Irish cream and Irish poteen) as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic is essentially attributable to its geographical origin.

Irish whiskey, Irish cream and Irish poteen are registered as Geographical Indications (GI) under Regulation (EU) 2019/787. The Regulation requires that products comply with the specifications of their Technical File that was originally submitted in accordance with Regulation (EC) 110/2008 .

2.2 HMRC's role

HMRC's role is to verify that UK GI spirit drinks with a protected GI are compliant with the specifications in the product's Technical File and to publish details of production facilities, verified processes, and verified brands. HMRC introduced a scheme to verify the Scotch whisky GI in January 2014, and this was subsequently followed by schemes to verify the UK's other Spirit Drinks GIs, including the trans-border GIs in Northern Ireland.

HMRC will verify Irish whiskey, Irish cream and Irish poteen produced in Northern Ireland or bottled in the UK by conducting verification visits to production facilities, checking that processes are compliant with the Technical File.

HMRC will publish details of production facilities and verified brands with assured processes on GOV.UK

HMRC will only access those records relating to tax and duty assurance already held by HMRC that are required to support our GI verification activity, as described in Annexes a to c, which outline the verification checks to be undertaken.

Our role does not extend to enforcement. The designated enforcement authorities are "food authorities" and "port health authorities". Where appropriate and permitted, HMRC will pass relevant information on to these authorities for their action.

2.3 The scope of the verification schemes

Following the UK's withdrawal from the European Union in January 2021, and the end of the subsequent Transition Period in December 2020, HMRC will continue to verify producers in Northern Ireland and Great Britain in accordance with the applicable regulations.

2.4 Relevant Legislation

The main legislation in respect of Geographical Indication is:

Regulation (EC) No 110/2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks. The provisions on geographical indications in this regulation were revoked and replaced in June 2019. For Great Britain this regulation will become retained EU law via the EU (Withdrawal) Act 2018, with legislation made under it making operability amendments allowing continued functionality. For Northern Ireland, EU spirit drinks regulations are directly applicable due to the Northern Ireland Protocol, and the non-GI provisions in Regulation (EC) No 110/2008 will be replaced with the equivalent provisions in Regulation (EU) 2019/787.

Regulation (EU) 2019/787 focuses on the definition, description, presentation and labelling and the protection of geographical indications for spirit drinks, In Northern Ireland, the non-GI provisions of this regulation will become applicable from 25 May 2021 in line with the EU, whereas the equivalent provisions under 110/2008 will continue to apply in Great Britain and retained legislation.

The Agricultural Products, Food and Drink (Amendment etc.) (EU Exit) Regulations 2020 makes operability amendments to Regulation (EC) 110/2008 and 2019/787, which will become retained EU law in GB via the EU (Withdrawal) Act 2018.

The Spirit Drinks Regulations 2008.

These regulations provide for the enforcement of Regulation (EC) No 110/2008. Under Regulation 5, HMRC are the designated authority responsible for verifying spirit drinks with a protected Geographical Indication, and in ensuring products comply with the specifications in the Technical File. Enforcement authorities (food authorities and port health authorities) are designated under Regulation 6.

The Spirit Drinks (Costs of Verification) Regulations 2013

These regulations provide the legal basis for HMRC's verification schemes and enable HMRC to charge in order to recover its verification costs.

2.5 The Technical File

The Technical File is a document which sets out the specifications with which a GI

spirit drink must y must comply. The minimum requirements to be included in a Technical File are detailed in Article 17 of Regulation (EC) No 110/2008.

2.6 The Technical Files for Irish whiskey, Irish cream and Irish poteen

The Technical Files for Irish whiskey, Irish cream and Irish poteen are set out Annexes d to f of this Notice and are published in the Official Journal of the European Union.

3. Transitional arrangements

3.1 The transitional arrangements

The following transitional arrangements apply to existing producers of Irish whiskey, Irish cream and Irish poteen.

Irish whiskey

Any Irish whiskey production facility already in operation on 30 October 2014, or which commences production before 29 January 2016, will be treated as verified until 29 January 2017 provided that;

- HMRC has received a properly completed application for verification for each such production facility by 29 January 2016

- The appropriate verification fee has been paid
- HMRC is satisfied that production will be carried out in accordance with the Technical File after 29 January 2016
- the contrary is not established following an initial verification visit by HMRC

Irish cream

Any Irish Cream production facility already in operation on 20 February 2015 or which commences production before 29 January 2016 will be treated as verified until 29 January 2017 provided that;

- HMRC has received a properly completed application for verification for each such production facility by 29 January 2016
- The appropriate verification fee has been paid
- HMRC is satisfied that production will be carried out in accordance with the Technical File after 29 January 2016
- the contrary is not established following an initial verification visit by HMRC

Irish poteen

Any Irish poteen production facility which is already in operation on 20 February 2015 or which commences production before 29 January 2016 will be treated as verified until 20 February 2017 provided that:

- HMRC has received a properly completed application for verification for each such production facility by 29 January 2016
- The appropriate verification fee has been paid
- HMRC is satisfied that production will be carried out in accordance with the Technical File after 29 January 2016
- the contrary is not established following an initial verification visit by HMRC

4. Applying for Verification

4.1 Who should apply for verification

You should apply for verification if you are a person or business carrying out:

- any of the production processes for Irish whiskey, Irish cream or Irish poteen set out in paragraph 1.3

blending and/or bottling and labelling outside Northern Ireland of Irish whiskey, Irish cream and Irish poteen consigned in bulk from Northern Ireland to be marketed in the EU

If you are only a brand owner, whose brands are blended and/or bottled and labelled for you by someone else, you do not need to apply to HMRC for verification. The blender/bottler of your brands is responsible for applying for verification and notifying HMRC of your brands. You will not be able to market any brands which have not been notified.

The verifying authority for Irish whiskey and Irish poteen produced in the Republic of Ireland is the Irish Revenue Commissioners. The verifying authority for Irish cream produced in the Republic of Ireland is the Department of Agriculture, Food and Marine.

Producers based in the Republic of Ireland should contact the relevant administration to apply for verification.

4.2 Application for verification

Producers in Northern Ireland and bottlers based in the UK or elsewhere who bottle bulk Irish whiskey, Irish cream and Irish poteen consigned from Northern Ireland for sale in the EU must apply for verification to HMRC electronically, using the form available on GOV.UK. <https://www.gov.uk/guidance/spirit-drinks-with-a-protected-geographical-indication>

In very limited circumstances, HMRC may accept a paper application instead of an electronic one. These include if the directors/company officers are practicing members of a religious society or order whose beliefs are incompatible with the use of electronic methods of communication.

4.3 Deadline for application

Applications from existing producers of Irish whiskey, Irish cream and Irish poteen must be submitted before 29 January 2016.

All producers commencing business on and after 29 January 2016 must apply for verification before they start production. New producers should apply for verification as soon as possible, well in advance of commencing operations

4.5 Renewal of application

Once you have applied for verification your details, as amended, will be used to manage the verification scheme.

Unless there is a need to carry out verification on a more frequent basis, producers will be verified as part of the 2 year cycle of verification visits and you will be charged for the verification services you receive, until such time as you tell us that you want to withdraw from the verification scheme.

If you do not need your application for verification to continue, you should notify us so we can update our own records and the published details, as necessary.

4.6 Application required for each production facility

You should apply for verification of each premises that carries out the production of Irish whiskey, Irish cream or Irish poteen

4.7 Registration certificate

You will not receive a registration certificate, but will be told of the outcome of your verification by letter.

4.8 How the information you provide will be used

The information will be used by us to issue invoices and make contact to arrange and undertake verification visits, where applicable, and to publish details of verified producers and brands.

4.9 Failure to apply for verification

There are no financial penalties for failing to apply for verification.

If you do not apply for verification your production processes will not be assured and any Irish whiskey, Irish cream or Irish poteen Irish whiskey, Irish cream and Irish poteen produced through your processes will not be verified.

It is illegal for you, or your customers, to produce or market Irish whiskey, Irish cream or Irish poteen that has not been verified. If you do, you (or your customers) may become liable to enforcement action.

Our role does not extend to enforcement. The designated enforcement authorities in the UK are "food authorities" and "port health authorities". Where appropriate and permitted HMRC will pass information on to these authorities for their action.

4.10 Obligations of applicants for verification

Without verification you will not legally be able to produce or market Irish whiskey, Irish cream or Irish poteen

Your obligations under the Irish whiskey, Irish cream and Irish poteen verification scheme are essentially to comply with the relevant legislation, assist in demonstrating this, so that HMRC can publish your details on our website as a production facility with assured processes. This will also assist in the publication of verified brand details.

More broadly, [Your Charter](#) explains what you can expect from us and what we expect from you.

5 Reporting Changes

5.1 How to notify changes

You need to inform us if any of your notified details change, or are incorrect, as soon as you become aware of the inaccuracy.

5.2 Who to tell about changes

Email enquiries.sdvs@hmrc.gsi.gov.uk setting out the changes.

5.3 The types of change to notify to us

The types of changes that you need to tell us about include:

- changes of address, trading name, contact details
- change of legal entity
- any changes to premises details
- notification that you wish to withdraw your application for verification because you no longer produce Irish whiskey, Irish cream and Irish poteen.

6 Withdrawing, Cancelling or Transferring an Application for Verification

6.1 How to withdraw your application for verification

You must inform the Spirit Drinks Verification Unit by email at enquiries.sdvs@hmrc.gsi.gov.uk that you wish to withdraw your application for verification, confirming the date of the withdrawal and setting out the reasons why you no longer require your application for verification after that date

Having confirmed that withdrawal of your application for verification is appropriate, HMRC will update our own records and published details as necessary.

Once you have withdrawn from the verification scheme you will no longer be able to produce Irish whiskey, Irish cream or Irish poteen legally. Any Irish whiskey, Irish cream or Irish poteen you process on behalf of your customers after that date will also be affected. Irish whiskey, Irish cream and Irish poteen verified before you withdrew from the scheme may still be placed on the market.

If you withdraw from the verification scheme, any brands you have produced that were verified prior to withdrawal will be shown as verified. At the end of the verification cycle, the brand will remain on HMRC's list of verified brands, but with an end date to show from when it is no longer a verified brand.

Supplies of the brand verified prior to withdrawal remain verified Irish whiskey, Irish cream and Irish poteen.

Any production facilities associated with the withdrawn application will be removed from the list of verified producers at the end of the verification cycle.

6.2 Who to notify if you withdraw your application for verification

Because the status of your production process can impact on the status of the products which you process for your customers, you should inform them of any changes which may affect them.

6.3 Cancelled or withdrawn application

If your details have been recorded within our records of production facilities with assured processes, the change in status will be reflected in those details as they are published.

6.4 Withdrawal or refusal of application for verification

If you manufacture Irish whiskey, Irish cream and Irish poteen, your application for verification will be accepted unless it is returned for correction, until you inform us that you wish to withdraw it.

Your application for verification will remain 'live' until HMRC confirm that withdrawal of your application for verification is appropriate. HMRC will then update records and published details as necessary.

If your application for verification is not fully completed it may delay your acceptance into the verification scheme and subsequent verification visits. In turn this may affect your ability to produce or market Irish whiskey, Irish cream and Irish poteen legally.

6.5 Withdrawal of approval part way through a year

You will not receive a refund if you withdraw your approval part way through a year. Fees are charged to recover costs in undertaking verification visits.

6.6 Transfer of production facilities to another producer/operator

Where the new owner is already part of the verification scheme, HMRC will update that person's/businesses' records to show the acquisition of the production facilities, after first contacting them to confirm the details of the acquisition.

The newly acquired production facilities would retain their verified status - assuming they had already been verified - for the rest of the current verification cycle.

Where the new owner has not already applied for verification, they must do so within 6 months of acquiring the new production facilities, or the processes will lose their assured status.

7. Verification fees

7.1 The Charging Regime

7.1.1 Fees

-The Spirit Drinks (Costs of Verification) Regulations 2013 requires that the costs of verification be borne by the operators subject to those controls.

So, if you are a Irish whiskey, Irish cream and Irish poteen producer in Northern Ireland or a blender, bottler and labeller of Irish whiskey, Irish cream and Irish poteen outside Northern Ireland you will have to pay a verification fee.

7.1.2 The verification fee

Producers of Irish whiskey, Irish cream and Irish poteen in Northern Ireland are required to pay a standard verification fee, in advance of any verification visit made.

The fee for a business carrying out all the production processes for Irish whiskey or Irish cream or Irish poteen set out in paragraph 1.3 is **£902**.

The fee for a business that does not carry out all the production processes for a relevant spirit drink (e.g. it carries out bottling only or bottling and maturation) is **£451**.

A separate fee is required for each premise where a production process takes place.

A separate fee is required for each GI spirit drink.

7.2 Calculation of Verification fees

7.2.1 How we have calculated the verification fee

HMRC are required to manage the verification scheme with the intention of recovering only the costs incurred in its administration, on a financial year basis. These include salary and overhead costs of staff carrying out verification work, travel expenses, the costs of administering the verification scheme and the cost of computer systems developed to support the verification scheme (depreciated over a 10 year period).

The annual costs incurred by us will be divided by the number of processes to be verified each financial year to calculate a standard verification fee which will be charged for each production process that is required to be verified. The fee will therefore be affected by the number of producers who apply for processes to be verified.

7.2.2 Using a standard charge

A standard charge reflects the costs incurred by HMRC, which will be the same or similar regardless of the size of the operation or location.

7.2.3 Review of the fee

Fees charged for UK processes will be reviewed annually to ensure that charges match the verification scheme costs to HMRC but only adjusted every 2 years to reflect anticipated costs and account for deficits or surpluses, to provide equity during the 2 year rolling programme of verification visits.

7.2.4 What will happen if the fee structure or amount changes

HMRC will publish revised fees in updates to this public notice and on the HMRC website.

HMRC will consult the industry if substantial changes are required to the fee structure.

7.2.5 Liability to VAT

The verification fee is outside the scope of VAT.

7.3 Payment and Collection of Verification fees

7.3.1 How much to pay

The fees are set out in this Notice. You can also check how much the fee is on the HMRC internet site, by contacting our VAT and Excise helpline on telephone 0300 200 3700 or emailing the Spirit Drinks Verification Unit at: enquiries.sdvs@hmrc.gsi.gov.uk

After you have applied for assurance of your processes, HMRC will issue invoices to you for the amounts you will need to pay for verification of your processes using the information provided on your application for verification.

7.3.2 Invoice for verification fee

HMRC will issue you with an invoice before your verification visit is due, matching our available staff to the 2 year programme of verification work.

You may receive an invoice at any time during the initial 2 year visiting programme. However, you will not necessarily receive a verification visit closely following the payment of your verification fee.

After that, fees will be invoiced approximately every 2 years, in time for you to make payment facilitating your subsequent verification visit, due every 2 years. If a return visit is required to a production facility for example, due to non-compliant production processes, you will be invoiced again for an additional fee of £500.

7.3.3. Payment of invoice

You must pay your fee before arrangements for your verification visit are confirmed. Payment of invoices should be made promptly according to the terms on your invoice, as these will have been issued to you to manage a cost effective verification programme. If you fail to do so, our costs will increase, which must be passed on to the industry.

7.3.4 How to pay your invoice

Payments must be made according to the terms on your invoice. Fees will be collected by electronic payment channels only, such as Faster Payment, BACS or CHAPS.

7.3.5 Failure to pay your invoice

You will receive one reminder that your invoice is unpaid. If your payment is not received:

- you will not receive your verification visit
- you will be deemed non-compliant with Article 22(1) of Regulation (EC) No 110/2008 from the date which HMRC will notify to you

- details of your verified production facilities will be amended, removed, or not included, on the list of production facilities with assured processes published on our website to reflect the non-compliant status of your production facility
- any Irish whiskey, Irish cream and Irish poteen that you produce after the date which HMRC notify to you will not be verified. Details will be amended, removed, or not included, on the list of verified brands published on our website to reflect the status of products/brands affected by the non-compliant status of your production facility

HMRC may inform the designated enforcement authority

7.3.6 Refunds for ceased production

Fees are not refundable. They are charged to recover costs in undertaking verification visits and carrying out other verification work.

8 Verification visits

8.1 How HMRC will verify Irish whiskey, Irish cream and Irish poteen

HMRC will verify Irish whiskey, Irish cream and Irish poteen by carrying out verification visits to production facilities, checking that processes are correctly set up to create products that comply with the Technical File and recording compliant processes as 'assured'.

8.2 The production processes HMRC will examine to verify Irish whiskey, Irish cream and Irish poteen

The areas HMRC will examine and the checks we will carry out are set out in Annexes a to c.

HMRC can only verify a brand if all processes involved have been assured, including any non-UK blending and bottling/labelling facilities.

8.3 How HMRC assure production processes in Northern Ireland

HMRC will assure all identified Irish whiskey, Irish cream and Irish poteen production processes using the checks outlined in Annexes a to c in order to verify products as compliant with the specifications detailed in the Irish whiskey, Irish cream and Irish poteen Technical File. For example:

- checking HMRC records to ensure all appropriate approvals are held
- checking purchase invoices, and delivery records, for ingredients and casks
- physical examination of equipment
- checking procedures, as written, observed and through interview

Where this involves documentary checks, for example purchase records of ingredients and casks etc. these must be available at the premises when and where the verification visit takes place unless arrangements have been made for them to be inspected at a different time and place with the person carrying out your verification visit.

8.4 How HMRC will deal with documents/invoices not kept at the production facility

Any documents required for inspection as part of your verification visit, for example purchase records of ingredients and casks should normally be available at the premises when and where the verification visit takes place, unless arrangements have been made for them to be inspected at a different time and place with the person carrying out your verification visit.

Your verification officer will discuss this when arranging your verification visit, but it is also your responsibility to bring this to their attention.

8.5 How HMRC will assure production processes outside Northern Ireland

Bottlers located in the UK will be verified at their production premises. Bottlers located outside the UK who bottle bulk Irish whiskey, Irish cream or Irish poteen from Northern Ireland to be marketed in the EU should apply for verification. We are currently considering verification options for producers outside Northern Ireland.

8.6 Confirmation that production facilities have been assured

Subject to the transitional arrangements set out at Section 3, there will be 2 groups of production processes in the industry, namely processes that are checked and assured as compliant with the Technical File, or non-compliant processes because they:

- failed to secure assurance,
- have not been checked and assured
- did not apply for verification

HMRC will publish details of production facilities with assured processes on the HMRC website. Production facilities which have not had their processes assured, for whatever reason, will not have their details published.

The published details of production facilities with assured processes will be available to the public. This will allow producers to check whether other production facilities in the industry have had their processes assured, so they may ensure that they are receiving Irish whiskey, Irish cream and Irish poteen from, and despatching to premises with assured processes in order to maintain the integrity of their product and its verified status.

8.7 Publication of brand details

HMRC recognise that independent bottler/labellers supply many customers with own label products and that this information is commercially sensitive to the extent that neither the bottler/labeller nor their customer would want their relationship details to be available to competitors.

Whilst the details of bottlers/labellers will be collected from verified bottlers, HMRC will not identify which bottler bottles which brands, only that the brand is verified, and who the brand owner (proprietor) is.

8.8 Updating details

Our website will be updated automatically overnight so details of production facilities with approved processes and verified brands at the end of the first verification cycle in January 2017 at the latest.

8.9 Frequency of assurance

Producers will be verified every 2 years or more frequently, if the need arises.

8.10 Sale of Irish whiskey, Irish cream and Irish poteen produced before the introduction of the verification scheme

HMRC recognise that there will be a transitional period where some Irish whiskey, Irish cream and Irish poteen brands on the market have not been verified through verification visits.

Irish whiskey, Irish cream and Irish poteen which was produced in accordance with existing legislation (i.e. distilled or sent or received for maturation, blending or bottling/labelling, or otherwise sold) before the date of your initial verification visit will, subject to the transitional arrangements in section 3 of this Notice, be treated as having been produced through a verified process, so deemed compliant with the Technical File. As such Irish whiskey, Irish cream and Irish poteen may be marketed legally.

Any such Irish whiskey, Irish cream and Irish poteen that has not been placed on the market may be subject to verification of any production processes carried out once initial verification visits start.

8.11 Other matters during verification visits

Whilst it may be possible to deal with relatively simple tax or duty questions during your verification visit, you should not expect your verification officer to deal with such queries. Your verification visit is not linked with HMRC's 'revenue management'. You are being charged for your verification visit and so it is important to HMRC, and you, that the different roles are dealt with separately.

Additionally the knowledge, skills and experience needed to undertake your verification visit are different from those of an officer of HMRC assuring compliance of your tax and duty accounting. Consequently, your verification officer may not be able to answer any tax or duty questions during your verification visit.

9. Brands

9.1 The details HMRC will need to publish Irish whiskey, Irish cream and Irish poteen brands on our their website

The information required, which will be published on our website once a brand has been confirmed as 'verified' will be:

Brand owner/Proprietor	Brand Name
------------------------	------------

When appropriate, details will also show a date, after which specific brands are no longer verified, for example because of non-compliance of any production processes used to create them. Product produced before the date on which verification lapsed may continue to be sold until stocks are exhausted.

9.2 Who should supply brand information to HMRC

HMRC will publish brand details using the information provided to us by verified bottlers.

Brand owners should check that the correct brand information has been passed to HMRC by the bottler, particularly the spelling of brand names, as HMRC will publish the details provided to us.

When requested to do so by the SDVU, verified bottlers are to supply the following details

Brand Name	Brand Owner/Proprietor
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Please note that HMRC will only publish details of the brand owner and the brand name, not the bottler. The details of the bottler are for internal use only.

9.3 How to submit brand names to HMRC

The information about Irish whiskey, Irish cream and Irish poteen brand names must be provided by web form, available on the HMRC web site. This is intended to minimise any errors which might otherwise arise from re-keying information and allow us to verify that the brands notified have been created through an end-to-end audit trail of verified production processes.

9.4 The definition of a brand name

HMRC only require the 'umbrella' description of a brand, but will publish the description provided to us by brand owners. Therefore, any brand names provided will be published as preferred by the brand owner via the bottler and labeller. Brand owners should consider the users of the verified brands list (for example, consumers, importers and overseas authorities) when making the decision on the brand names to submit. If, at any point, amendments are required to brand details these can be made upon request.

9.5 The circumstances where HMRC will single out an expression registered under an 'umbrella' brand name

The only time a specific brand, normally included as verified under a generic 'umbrella' brand name, would (intentionally) be separately identified on HMRC's published details of verified brands would be where it ceases to be verified but other versions of the same brand are not affected.

9.6 How HMRC will assure that brands originate from compliant processes

Using information obtained during verification visits, HMRC will trace the movement of Irish whiskey, Irish cream and Irish poteen back through the supply chain, ensuring that, at each movement, Irish whiskey, Irish cream and Irish poteen is moved between production facilities operating assured processes. For this reason it is advisable for operators to check published details, as they become available, to ensure that:

- any product described as Irish whiskey, Irish cream and Irish poteen is received from a production facility with assured processes
- where the final product is intended to be described as Irish whiskey, Irish cream and Irish poteen, it is despatched to a production facility with assured processes

9.7 How HMRC will manage circumstances where a single brand is bottled/labelled by more than one bottler/labeller

HMRC recognise that 'own brand' products may be produced using more than one bottler/labeller producer, and that one bottler/labeller is unlikely to be aware of another production facility bottling/labelling the same branded product.

Where a single brand is produced through more than one bottler/labeller all production processes will be required to be verified as compliant with the Irish whiskey, Irish cream and Irish poteen Technical File in order to retain the brand's verified status and inclusion on the published list. All bottlers would be required to notify us of the brands they bottle together with the relevant proprietor details.

HMRC recognise that this means that some compliant product, tainted by the non-compliant status of a parallel process, may not be recorded as verified in published details but this is considered necessary and proportionate as HMRC would be unable to verify individual branded products with any certainty where the failure of any part of the production processes compromises the verified status of an individual brand.

9.8 Publication of verified brands

HMRC will publish details of verified brands on our website so that customers (consumers, importers and overseas authorities) are able to check their verification status. Brands not appearing on the website will either not have been verified or may not have been notified to HMRC.

If you believe that a verified brand has been omitted from the published details in error you should contact the Spirit Drinks Verification Unit by email at enquiries.sdvs@hmrc.gsi.gov.uk to raise your concern in order that the circumstances can be investigated and, if necessary, corrective action taken, for example; to remedy any human error or IT failures.

10. Non- Compliance

10.1 HMRC's role in the enforcement of compliance with the Irish whiskey, Irish cream and Irish poteen Technical File

HMRC's role is to detect non-compliance with the Technical File. This is a separate role to our revenue responsibilities. Where non-compliance is detected and remedial action is not taken, HMRC will pass the relevant information to the designated enforcement authorities for such action as may be appropriate. The designated authorities are "food authorities" and "port health authorities". HMRC have no designated enforcement role.

10.2 Detecting Non-Compliance

Non-compliance of production processes will be detected and potentially non-compliant (unverified) brands identified either during verification visits, by notifications from other producers and, in some cases, through information provided by members of the public.

10.3 What happens in the event of a Non-Compliant process

Where a process is found to be non-compliant with the verification requirements, or if HMRC are otherwise unable to assure a production process, the SDVU will discuss with you how you can make your processes compliant.

HMRC will agree a reasonable 'period of correction' for you to take remedial action. Should corrective action not be taken during this agreed period, HMRC will amend, remove from, or not include, your details on the published record of production facilities with assured processes and may inform the relevant enforcement authority. If a production process loses its assured status, spirits produced thereafter will not be verified and cannot be sold as Irish whiskey, Irish cream and Irish poteen or as spirit which is destined to become Irish whiskey, Irish cream and Irish poteen. You should ensure your customers are aware of that fact, so that they can make alternative supply arrangements.

HMRC will also inform the brand owner/proprietor of the changed status of production process that may impact on their products.

Where necessary, HMRC will then reflect the changed status of those brands which are affected, whether yours or your customers, in the published details of verified brands.

10.4 Time allowed to make processes compliant

The period of time agreed to effect changes will vary depending on the nature of the changes required. This will, normally, be proposed by the SDVU and agreed with you.

10.5 Failure to make processes compliant

Failure to evidence a compliant process after this agreed period will result in your production facility details being amended, removed from, or not included, on the published details of production facilities with assured processes.

Any Irish whiskey, Irish cream and Irish poteen delivered from that production facility's process on or after the date verification lapsed will be non-compliant. HMRC may also inform the designated enforcement authorities.

If your production processes are found to be non-compliant, it will also mean that individual brands processed through them, after that date, can no longer be verified and will result in the changed status of those brands being reflected in the published details of verified brands. HMRC may also inform the brand owner/proprietor/producer of the changed status of their brand.

10.6 Return or repeat visits

If a return or repeat visit is necessary to confirm compliance of your production processes with the Irish whiskey, Irish cream and Irish poteen Technical File, you will be charged an additional fee of £500 to cover HMRC's costs.

10.7 The circumstances in which HMRC will not publish details of production facilities and brands

Generally, HMRC will publish details of all production facilities where they have, or have had, at least one assured production process. Similarly, HMRC will publish details of all brands that are, or have been, verified at some time. If a production facility fails to maintain assurance of its production processes, or a brand fails to maintain its verified status, the effective date of that change of status will be reflected in the details published on our website, rather than details being removed or not published.

The circumstances when we will not publish details of production facilities or brands include:

- where there is no application for verification
- where a production facility has never operated an assured process
- where a brand has not been notified to us
- where a brand has never been verified

Where a production facility is not published as having assured processes, this will compromise all brands using processes at that production facility.

10.8 Identification of unverified brands

If a brand is, or becomes, unverified, HMRC will reflect the changed status of that brand in the published details of verified brands. HMRC may also inform the brand owner/proprietor/producer of the changed status of their brand and the designated enforcement authorities.

HMRC will only report concerns or evidence of non-compliance to the relevant enforcement authorities through legal gateways or Regulation (EC) No 110/2008. Within the UK, the enforcement authorities are “food authorities” or “port health authorities”.

If HMRC are aware that there is a risk of an unverified brand being produced or marketed, HMRC will inform the relevant enforcement authority.

The absence of a brand or production facility from HMRC’s published details of verified brands/assured processes will be prima facie evidence of non-compliance. Non-compliance could also result in breaches of local laws in other countries where Irish whiskey, Irish cream and Irish poteen is defined or protected as a GI

10.9 Impact on product where the process is no longer verified

If a process ceases to be verified, any product delivered from that production facility on or after the date that verification status is removed will be non-compliant. This would apply to all brands which are affected by a non-compliant production process.

Non-compliant products sold, delivered from the production facility or subject to a subsequent production process will not be verified as Irish whiskey, Irish cream and Irish poteen. They cannot legally be sold as Irish whiskey, Irish cream and Irish poteen.

10.10 Notification of concerns about unverified Irish whiskey, Irish cream and Irish poteen

You should contact the local "food authority" or "port health authority" (the designated enforcement authorities) directly. These may be identified through the Food Standards Agency website at: <http://www.food.gov.uk/>

11. Where to find out more information

If, after reading this notice, you have any queries, or would like further advice, you can contact the SDVU by email. enquiries.sdvs@hmrc.gsi.gov.uk

12. Glossary and Definitions

This notice uses terms that can have different meanings depending on context. For clarity, the abbreviations and terms below should always be associated with the accompanying definitions.

Term	Definition
Producer	The owner of a production facility carrying out at least one process in the production of Irish whiskey, Irish cream and Irish poteen.
Operator	A person responsible for the operation of a production facility. This can be a distillery manager, for example.
Facility or production facility	A facility operating one or more production processes required to create Irish whiskey, Irish cream and Irish poteen.
Process or production process	One of the processes required to create Irish whiskey, Irish cream and Irish poteen
Brand	The label name on a bottled product excluding ages, descriptors and regions.
Brand Owner	The owner of an Irish whiskey, Irish cream and Irish poteen brand that is placed on the market for retail sale.
Technical File	A document that specifies the requirements of Irish whiskey, Irish cream and Irish poteen. This includes requirements for production, description, presentation and labelling of Irish whiskey, Irish cream and Irish poteen.
Fermentation	The process of converting sugars into alcohol with the addition of yeast. This includes all stages of production up to but not including the distillation process (including mashing of cereals).
Distillation	The process of acquiring spirit drinks using a fermented mixture. This includes all stages after fermentation up to the point where newly distilled spirit is obtained.
Maturation	The process of aging spirit.
Blending	The process of combining 2 or more single whiskies to create a new whisky in one of 3 categories: blended malt, blended grain or blended, or the vatting of casks of single malt. This includes all processes from the disgorging of casks to the vatting/blending of the contents
Bottling and Labelling	The processes of (i) emptying containers of blended/vatted Irish whiskies and disgorging single

	<p>casks for the purpose of bottling, dilution to bottling strength, bottling the diluted contents and labelling for presentation, and (ii) any re-bottling and re-labelling of previously bottled Irish whiskey, Irish cream and Irish poteen.</p> <p>Labelling means all descriptions and other references, signs, designs or trademarks which distinguish a drink and which appear on the same container. This includes its sealing device or the tag attached to the container and the sheathing covering the neck of the bottle.</p>
Bulk Irish whiskey, Irish cream and Irish poteen	Irish whiskey, Irish cream and Irish poteen that has still to be put into its retail container.

Your rights and obligations

Your Charter explains what you can expect from us and what HMRC can expect from you. For more information, go to:

<https://www.gov.uk/government/publications/your-charter>

Comments or suggestions

If you have any comments or suggestions to make about this notice, please contact the SDVU at the following email address.

enquiries.sdvs@hmrc.gsi.gov.uk

Or contact HMRC's Alcohol Policy team either by email at

mailbox.alcoholpolicy@hmrc.gsi.gov.uk

or by post at:

HMRC,
Alcohol Policy Team,
3W Ralli Quays,
3 Stanley Street,
Salford,
M60 9LA,
United Kingdom

Putting things right

If you are not satisfied with our service, please let the person dealing with your affairs know what is wrong. HMRC will work as quickly as possible to put things right and settle your complaint. If you are still unhappy, ask for your complaint to be referred to the Complaints Manager.

For more information about our complaints procedures go to <http://www.hmrc.gov.uk> and under quick links select Complaints.

How HMRC use your information

HM Revenue and Customs is a Data Controller under the Data Protection Act 1998. HMRC hold information for the purposes specified in our notification to the Information Commissioner, including the assessment and collection of tax and duties, the payment of benefits and the prevention and detection of crime, and may use this information for any of them.

The Food Safety Authority of Ireland (FSAI) holds responsibility for taking necessary follow up action (enforcement or otherwise) with applicants who fail to meet the standards for verification.

If Revenue is not satisfied that the production processes comply with the requirements of the Technical File for Irish whiskey, Revenue will advise the FSAI or its official agency, the Health Service Executive (HSE) of the non-compliance.

When notified by Revenue, the FSAI or HSE will determine what appropriate enforcement action is to be taken. Appropriate enforcement action will be determined by the specific circumstances for the non-compliance.

Annex A: Irish whiskey GI – Scheme of Verification Checks

General

Requirement	Verification Check
<p>1. The distillery must be licenced in the State and must be authorised by HMRC as a manufacturing Tax Warehouse.</p> <p>2. The Distillery’s systems and procedures must provide assurance of adherence to the technical file for Irish whiskey as required under EC Regulation 110 of 2008.</p> <p>3. If spirit products other than Irish whiskey are produced or handled in the distillery, all production processes for Irish whiskey must be kept separate and the production of other spirit drinks must not compromise compliance with or verification of the GI standard for Irish whiskey.</p>	<p>1. Verify that the distillery holds the appropriate licence and is authorised by HMRC and operating in accordance with HMRC’s conditions of approval.</p> <p>2.1 Review the distillery’s production systems and procedures to verify that they are designed to ensure adherence to the technical specifications and requirements for Irish whiskey, that they are fully documented in accessible format and operate as intended.</p> <p>2.2 Verify that the distillery’s system of records is designed to provide a full, high-quality, timely and transparent account of all inputs, outputs, processes and operations of the distillery, that the system is implemented fully and that the records are held securely and in an accessible format.</p> <p>2.3 Verify that the distillery’s systems of management and operating controls are designed to ensure adherence to the technical specifications and requirements for the production of Irish whiskey, are fully implemented and ensure the maintenance of high quality records in that regard.</p> <p>3. Verify that the distillery’s systems for production and its records and operational controls are adequate to ensure full and effective identification at all times of GI and non-GI spirit production processes, materials and outputs and</p> <ul style="list-style-type: none"> • full separation from the production and bottling processes for GI and non-GI products • all necessary controls are in place to manage the risk of contamination at any stage in the production and bottling processes for Irish whiskey.

Stage 1 - Brewing

Requirement	Verification Check
<p><u>1.1 - Irish whiskey</u></p> <p>1.1.1 The mash must contain malted cereals, with or without whole grains of other cereals.</p> <p>1.1.2 Saccharification of the mash must take place by the enzymes contained in the malt, with or without other natural enzymes.</p> <p>1.1.3 Brewing must take place at the same site as fermentation and distillation.</p> <p><u>1.2 - Pot Still Irish whiskey</u></p> <p>1.2.1 The mash must contain</p> <ul style="list-style-type: none"> ▫ a minimum of 30% natural, raw, non-peated malted barley and ▫ a minimum of 30% unmalted barley ▫ if required, a maximum of 5% other unmalted cereals such as oats and rye and water. <p>1.2.2 Saccharification must take place by way of the malt enzymes contained in the mash, with or without other natural enzymes.</p> <p>1.2.3 Brewing must take place at the same site as fermentation and distillation.</p>	<p><u>1.1 - Irish whiskey</u></p> <p>1.1.1 Verify that the distillery's brewing procedures and the records of each brewing operation show that the mash is made from malted cereals, with or without whole grains of other cereals.</p> <p>1.1.2 Verify that the distillery's brewing procedures and the records of each brewing operation show that no synthetic enzymes were used in the production of Irish whiskey.</p> <p>1.1.3 Check the distillery's records to verify that all brewing for Irish whiskey takes place in the distillery.</p> <p><u>1.2 - Pot Still Irish whiskey</u></p> <p>1.2.1 Check that the distillery's procedures and its records of brewing operations and materials for Pot Still Irish whiskey show that</p> <ul style="list-style-type: none"> ▫ the mash is made solely from natural, raw, non-peated malted barley, unmalted barley and other unmalted cereals those materials specified and ▫ that the malted barley, unmalted barley and, if used, the other unmalted cereals are mixed in the correct proportions. <p>1.2.2 Verify from the distillery's materials and brewing records that no synthetic enzymes were used in the production of Pot Still Irish whiskey.</p> <p>1.2.3 Check the distillery's records to verify that all brewing for Pot Still Irish whiskey takes place in the distillery.</p>
<p><u>1.3 - Malt Irish whiskey</u></p>	<p><u>1.3 - Malt Irish whiskey</u></p>

1.3.1 The mash is made from 100% natural, raw, peated or non-peated malted barley and water.

1.3.2 Saccharification must take place by the enzymes contained in malt, with or without other natural enzymes.

1.3.3 Brewing must take place at the same site as fermentation and distillation.

1.4 - Grain Irish whiskey

1.4.1 Mash is made from a maximum of 30% natural, raw, malted barley and other whole, unmalted cereals.

1.4.2 Saccharification must take place by the enzymes contained in malt, with or without other natural enzymes.

1.4.3 Mashing must take place at the same site as fermentation and distillation.

1.3.1 Check that the distillery's brewing procedures and records show that the mash for Malt Irish whiskey is made solely from natural, raw, peated, or non-peated, malted barley and water.

1.3.2 Verify that the distillery's records show that no synthetic enzymes were used in the production of Malt Irish whiskey.

1.3.3 Check the distillery's records to verify that all brewing for Malt Irish whiskey is brewed at the distillery.

1.4 - Grain Irish whiskey

1.4.1 Check that the distillery's brewing procedures and records show that the mash for Grain Irish whiskey

- is made from natural, raw, malted barley and other whole, unmalted cereals only and
- that the malted barley and unmalted cereals are mixed in the correct proportions.

1.4.2 Verify the distillery's record shows that no synthetic enzymes were used in the production of Grain Irish whiskey.

1.4.3 Check the distillery's records to verify that all brewing takes place at the distillery.

Stage 2 – Fermentation

Requirement	Verification Check
<p><u>2.1 - Pot Still Irish whiskey/Malt Irish whiskey/Grain Irish whiskey/Irish whiskey</u></p> <p>2.1.1 Fermentation is by the action of yeast and natural enzymes only.</p>	<p><u>2.1 - Pot Still Irish whiskey/Malt Irish whiskey/Grain Irish whiskey/Irish whiskey</u></p> <p>2.1.1 Check that the distillery's production procedures and the records of material used verify that fermentation is by the action of yeast and natural enzymes only.</p>

<p>2.1.2 Fermentation must take place at the same site as mashing and distillation.</p>	<p>2.1.2 Check the distillery's records to verify that all fermentation takes place in the distillery</p>
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Stage 3 – Distillation

Requirement	Verification Check
<p><u>3.1 - Irish whiskey</u></p> <p>3.1.1 Must be distilled at an alcoholic strength of less than 94.8% by volume.</p> <p>3.1.2 Must be double or triple distilled.</p>	<p><u>3.1 - Irish whiskey</u></p> <p>3.1.1 Check the distillery's records to verify that, on completion of distillation,</p> <ul style="list-style-type: none"> • the alcoholic strength of each batch of Irish whiskey is measured according to correct procedures and the results are recorded • the records show that all batches are of an alcoholic strength of less than 94.8% by volume <p>3.1.2 Check that the distillery's records show that the product is double distilled at a minimum.</p>
<p><u>3.2 - Pot Still Irish whiskey</u></p> <p>3.2.1 Must be distilled at an alcoholic strength of less than 94.8% by volume.</p> <p>3.2.2 Must be distilled in a copper pot still.</p> <p>3.2.3 May be double or triple distilled.</p>	<p><u>3.2 - Pot Still Irish whiskey</u></p> <p>3.2.1 Check the distillery's records to verify that, on completion of distillation,</p> <ul style="list-style-type: none"> • the alcoholic strength of each batch of Irish whiskey is measured according to correct procedures and the results are recorded and • the records show that all batches are of an alcoholic strength of less than 94.8% by volume <p>3.2.2 Verify that the records show that the Pot Still Irish whiskey was distilled in a copper pot and visually check that copper pot stills are present and in use in the distillery.</p> <p>3.2.3 Check that the distillery's records show that the product is double distilled at a minimum.</p>

<p>3.2.4 Still residues from a pot still may be collected and redistilled in column stills – these resulting feints can be subsequently distilled along with recycled pot still feints in a pot still.</p>	<p>3.2.4 If a column still is in use during Pot Still Irish whiskey production, check that it is only used for the distillation of residues from the pot still and the resulting feints are used only for further distillation in a pot still.</p>
<p><u>3.3 - Malt Irish whiskey</u></p> <p>3.3.1 Must be distilled at an alcoholic strength of less than 94.8% by volume.</p> <p>3.3.2 Must be distilled in a pot still.</p> <p>3.3.3 Still residues from a pot still may be collected and redistilled in column stills – these resulting feints can be subsequently distilled along with recycled pot still feints in a pot still.</p> <p>3.3.4 May be triple or double distilled.</p> <p><u>3.4 - Grain Irish whiskey</u></p> <p>3.4.1 Must be distilled at an alcoholic strength of less than 94.8% by volume.</p> <p>3.4.2 Must be distilled in a column still.</p>	<p><u>3.3 - Malt Irish whiskey</u></p> <p>3.3.1 Check the distillery’s records to verify that, on completion of distillation,</p> <ul style="list-style-type: none"> ▫ the alcoholic strength of each batch of Malt Irish whiskey is measured according to correct procedures and the results are recorded ▫ the records show that all batches are of an alcoholic strength of less than 94.8% by volume <p>3.3.2 Verify from the distillery records and visually check that pot stills are present and used in distillery for the distillation of Malt Irish whiskey.</p> <p>3.3.3 If a column still is in use during the production of Malt Irish Whiskey, check the records to verify that it is used only for collecting and re-distilling residues for further distillation in a pot still.</p> <p>3.3.4 Check that records show the number of times the product is distilled and verify that the product is double distilled at a minimum.</p> <p><u>3.4 - Grain Irish whiskey</u></p> <p>3.4.1 Check that processes, procedures and records are in place to ensure alcoholic strength can be measured accurately And check records to ensure that the ABV does not exceed 94.8%</p> <p>3.4.2 Verify that the distillery’s records show that all Grain Irish whiskey is produced in a column still. Carry out a visual check to verify that a column still is present and in use in the distillery.</p>

<p>3.4.3 May be double or triple distilled.</p>	<p>3.4.3 Check that records show the number of times the product is distilled and verify that they show that the product is double distilled at a minimum.</p>
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Stage 4 – Maturation

Requirement	Verification Check
<p><u>4.1 - Pot Still Irish whiskey/Malt Irish whiskey/Grain Irish whiskey/Irish whiskey</u></p> <p>4.1.1 New-make Irish spirit intended to be matured into Irish whiskey that has been filled into casks at the distillery or received by tanker for casking must be traceable, identifiable and produced in accordance with the GI requirements.</p> <p>4.1.2 Irish whiskey received in casks for further maturation must be traceable, identifiable and produced in accordance with the GI requirements.</p> <p>4.1.3 Maturation must take place in a tax warehouse for a minimum of 3 years and thereafter, may take place at another premises approved by HMRC for G.I. verification purposes.</p> <p>4.1.4 Irish whiskey must be matured in wooden casks not exceeding 700 litres in capacity.</p>	<p><u>4.1 - Pot Still Irish whiskey/Malt Irish whiskey/Grain Irish whiskey/Irish whiskey</u></p> <p>4.1.1 Verify that the producer’s procedures and systems ensure that all new made spirit filled into casks, or received by tanker to be casked for maturing as an Irish whiskey can be identified and the records show that it has been produced in compliance with the GI.</p> <p>4.1.2 Verify that the producer’s procedures and systems ensure that all spirits received in casks for further maturation can be identified and the records show that this whiskey has been produced in compliance with the GI.</p> <p>4.1.3 Verify from the producer’s records that the whiskey has matured in wooden casks in a tax warehouse in Ireland for a minimum period of 3 years. If matured for a longer period, verify that the records show the whiskey has completed maturation in a tax warehouse, or in a premises approved by HMRC for GI purposes.</p> <p>4.1.4 Verify from the producer’s systems and records, including purchase records, that the whiskey is matured</p> <ul style="list-style-type: none"> ○ only in wooden casks of a capacity not exceeding 700 litres ○ all casks used are inspected and measured to ensure compliance with these standards and the results of these checks are recorded and supervised

<p>4.1.5 Maturation must take place on the Island of Ireland.</p> <p>4.1.6 Maturation is for a minimum of 3 years.</p> <p>4.1.7 Irish whiskey may not be exported in wooden casks.</p>	<p>4.1.5 Verify from the producers systems and records that the new-made spirit is decanted fully into proper casks and is stored at a location in Ireland.</p> <p>4.1.6 Verify that the producer’s systems and controls ensure</p> <ul style="list-style-type: none"> · accurate logging of the whiskey in cask · effective tracking of the age of all spirits in cask · once the spirit is in cask, the ageing process is not disturbed · nothing can be added to the spirit in cask · younger spirit is not used to top up the cask <p>4.1.7 Verify from the producers systems and records that all Irish whiskey intended for export is transferred from cask into inert containers prior to removal from the tax warehouse for export.</p>
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Stage 5 – Blending, Bottling and Labelling

Requirement	Verification Check
<p><u>5.1 - Blending</u></p> <p>5.1.1 Blended Irish whiskey must be made from a combination of 2 or more Irish Whiskey types from among the following:</p> <ul style="list-style-type: none"> i – Pot Still Irish whiskey ii – Malt Irish whiskey iii – Grain Irish whiskey iv – Irish whiskey <p>5.1.2 Nothing may be added during blending other than water and caramel colouring E150A.</p> <p>5.1.3 Irish whiskey has a minimum alcoholic strength by volume of 40%.</p>	<p><u>5.1 - Blending</u></p> <p>5.1.1 Check that the systems and controls in place for blending provide assurance that</p> <ul style="list-style-type: none"> ○ only G.I. verified Irish whiskey types are used to produce Blended Irish whiskey ○ at least 2 different types are used <p>Verify that the producer’s blending systems, procedures and records ensure that the source, age and type of all whiskey used in each blending operation is recorded and fully traceable as GI verified whiskey.</p> <p>5.1.2 Check that procedures and controls are in place to ensure that only water and caramel colouring E150A are added to the whiskey in the blending process. Verify that the producer’s systems and records show that no other substances are used during blending.</p> <p>5.1.3 Check that the blending systems and controls ensure that</p> <ul style="list-style-type: none"> ○ the blended final product for bottling has a minimum alcoholic strength by volume of 40% ○ that regular testing of the product’s alcoholic strength by volume is carried out and accurately recorded
<p><u>5.2 – Bottling</u></p> <p>5.2.1 Whiskey received for bottling as Irish whiskey has been produced in accordance with the Technical File for Irish whiskey.</p> <p>5.2.2 Chill filtration prior to bottling may only be used to remove haze floc. It may not be used to remove colour, flavour or aroma.</p>	<p><u>5.2 – Bottling</u></p> <p>5.2.1 Check that there are adequate systems and procedures in place to provide assurance that the spirit received for bottling as Irish whiskey is produced under GI verified processes.</p> <p>5.2.2 If chill filtration is employed, check that systems and controls are in place to ensure the process is used solely to remove haze floc.</p> <p>5.2.3 Check the records to verify that the bottling systems and controls ensure that the addition of</p>

<p>5.2.3 Caramel Colouring E150A may be added prior to bottling as a colouring. It may not be used to flavour or sweeten.</p> <p>5.2.4 Irish whiskey has a minimum alcoholic strength by volume of 40%.</p> <p>5.2.5 Bottling must take place in an authorised tax warehouse or, in the case of duty-paid product, at a premises approved by Revenue for verification purposes under the G.I. Verification Scheme for Irish whiskey.</p> <p>5.2.6 Where Irish whiskey is removed for bottling from a tax warehouse, it must be shipped in inert bulk containers. It may not be shipped in casks.</p> <p><u>5.3 – Labelling</u></p> <p>5.3.1 The label on any bottle of G.I. verified Irish whiskey should accurately describe the contents.</p> <p>5.3.2 The year of distillation may be referenced on the label only if the year of</p>	<p>the colouring agent complies with the declared production standards and in particular that</p> <ul style="list-style-type: none"> ▫ only caramel colouring E150A is used ▫ it is added to the whiskey prior to bottling ▫ it is not used in amounts that would flavour or sweeten the whiskey <p>5.2.4 Check that procedures and systems are in place to ensure accurate testing and recording of the alcoholic strength by volume of each batch before bottling and verify, from a sample of records, that the minimum alcoholic strength of the bottled product is 40% by volume.</p> <p>5.2.5 Verify that the warehouse/other premises used for bottling is appropriately authorised or approved by HMRC.</p> <p>5.2.6 Verify that the systems and procedures for whiskey removed for bottling from the tax warehouse ensure that it is decanted from casks into inert containers prior to movement from the warehouse.</p> <p><u>5.3 – Labelling</u></p> <p>5.3.1 Check that the producer’s systems and controls are adequate to ensure that</p> <ul style="list-style-type: none"> ▫ the information displayed on the label corresponds to the contents of the bottle ▫ the label content and design complies with the sample label declared in advance by the producer for verification purposes ▫ the information on the label and the supporting records enable the accurate identification of the source, type and age of any specific batch of product <p>5.3.2 Check a sample of labels and if the year of distillation is referenced, confirm that the year of</p>
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<p>bottling and the maturation period or the age of the whiskey is also stated.</p> <p>5.3.3 The term 'single' may be applied to Irish whiskey only if it is a Pot Still, a Malt or a Grain Irish whiskey and all the whiskey in the product was distilled totally on the site of a single distillery and comes from one of these 3 varieties.</p> <p>5.3.4 Irish whiskeys must bear the sales denomination “Irish Whiskey” or “Uisce Beatha Eireannach” or “Irish Whisky”.</p> <p>5.3.5 If the whiskey qualifies as “Pot Still Irish whiskey/Irish Pot Still whiskey”, or “Malt Irish whiskey/Irish Malt whiskey”, or “Grain Irish whiskey/Irish Grain whiskey”, or “Blended Irish whiskey”, it must bear the relevant appropriate sales denomination.</p>	<p>bottling and/or the age of the whiskey is stated also on the label.</p> <p>5.3.3 Verify that records can demonstrate that any bottle of Irish whiskey labelled ‘single’</p> <ul style="list-style-type: none"> ○ was mashed, fermented and distilled on the site of a single distillery ○ contains only Pot Still Irish whiskey, or Malt Irish whiskey, or Grain Irish whiskey ○ does not contain Blended Irish whiskey <p>5.3.4 Check a sample of bottled whiskey to ensure that a valid sales denomination is used on the label.</p> <p>5.3.5 Verify that the producer’s systems and records are adequate to provide assurance that, where they qualify as a particular type, the relevant appropriate sales denomination is stated on the label. Check a sample of bottled whiskey to verify that a valid sales denomination is used on the label.</p>
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Annex B: Irish cream liqueur – Verification Checks

General

Requirement	Verification Check
<p>1. All Premises/ distilleries must be licensed by HMRC to compound alcohol.</p> <p>1.1 All premises must follow process as set out in the technical file.</p> <p>1.1.2 All Irish cream liqueur Producers must be located in Ireland.</p> <p>1.2 Premises which produce other products/store or bottle other products in addition to Irish cream It is essential that there are strict controls in place to ensure that there is no crossover between practices acceptable for other products made on the premises but which are not permitted for Irish cream .</p> <p>1.3 Irish whiskey and dairy cream of Irish origin (as ingredients) must be stored in a secure fashion to ensure no possible mixing of Irish whiskeys and non-Irish whiskeys or other alcohols</p> <p>1.3.1 Or mixing of dairy cream of Irish origin and other dairy creams.</p>	<p>1. Check and ensure the distillery has a valid compounders licence.</p> <p>1.1 Check process against the technical file.</p> <p>1.1.2 Check the address and location of the premises.</p> <p>1.2 Check SOPs and audit control in place to check there is no possibility that Irish cream can be subject to any other practices, or adulteration.</p> <p>Check what controls are in place when producing other products of a similar nature to ensure that products cannot be mixed.</p> <p>1.3 Check provenance of all whiskeys and if any non-Irish whiskey is present check SOPs and audit controls in place to ensure that that there is no possibility of mixing Irish whiskey and other whiskeys of non-Irish origin.</p> <p>1.3.1 If dairy cream of origin other than Ireland is present check SOPs, process flow diagrams and audit controls in place to ensure that that there is no possibility of Irish dairy creams being mixed with non Irish dairy cream. Physically inspect the production process and ensure there are no connections in the pipe work which would permit mixing with non-Irish ingredients or blending with other non-compliant products</p>

Product Specification

Requirement	Verification checks
<p>2. Product Specification</p> <p><u>2.1 Methods used</u></p> <p>2.1.1 Method 1 – Single stage Initial spirit premix – preparation includes the combining of alcohol, carbohydrates, water and other flavourings and colourings</p> <p>Second premix - sometimes termed a <i>protein premix</i>, is prepared by:</p> <ol style="list-style-type: none"> 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 <p>The product mixture is finally prepared by mixing the <i>initial spirit premix</i> with the <i>second/protein premix</i></p> <p>The <i>complete</i> product mixture is <i>homogenised</i> so that the average particle size of the cream globule is reduced to less than 5 microns, preferably less than 2 microns</p> <p>2.1.2 Method 2 – 2 stage process</p> <ol style="list-style-type: none"> i) A protein premix, is prepared by: <ol style="list-style-type: none"> 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 	<p>2. Verify:</p> <ul style="list-style-type: none"> ▫ that recipe has been followed ▫ there is recipe knowledge by staff ▫ staff training records are kept ▫ records are kept of ingredients <p><u>2.1 Methods used</u></p> <p>2.1.1 Method 1 – Single stage Verify:</p> <ul style="list-style-type: none"> ▫ Records kept of method used ▫ Staff Training ▫ Check equipment is of good working order <p>2.1.2 Method 2 – 2 stage process Verify:</p> <ul style="list-style-type: none"> ▫ Records kept of method used ▫ Staff Training ▫ Check equipment is of good working order

<p>globule is reduced to less than 5 microns, preferably less than 2 microns</p> <p>iii) The spirit premix is prepared and includes the combining of alcohol, carbohydrates, water, and also usually flavourings and colourings</p> <p>iv) The spirit premix is subsequently added to the homogenised mixture outlined in point ii above</p> <p>2.1.3 Innovative practices Only operations consistent with the technical file should take place during production of Irish cream liqueur.</p>	<p>2.1.3 In the event of any departures from normal industry practice as set out in the technical file or any query whether a process is in conformity with the technical file, a written report should be sent immediately to Trading Standards.</p> <p>No produce from this batch shall be released until a reply has been received from Trading Standards.</p>
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Ingredients

Requirement	Verification check
<p><u>3.1 Dairy Content</u> A minimum of 10% milk fat when measured on a weight/volume basis in the final product.</p> <ul style="list-style-type: none"> ▫ The milk fat content in Irish cream liqueur shall consist of fresh Irish dairy cream produced on the island of Ireland obtained directly and exclusively from Irish milk obtained from the island of Ireland ▫ The milk fat content in Irish cream liqueur shall consist of fresh Irish dairy cream produced on the island of Ireland obtained directly and exclusively from Irish milk obtained from the island of Ireland and as defined in Regulation (EU) No 1308/2013 of the European Parliament and of the Council. 	<p><u>3.1 Dairy Content</u></p> <ul style="list-style-type: none"> ▫ Check records to see system in place for checking and recording dairy fat ▫ Check results of product tested as necessary ▫ Take official sample to verify % fat (Sampling must be done on the occasion of the 1st verification visit thereafter it will be at the discretion of the dairy inspector) ▫ Check origin for dairy cream. Verify at establishment of the supplier that it was obtained exclusively from milk produced on the island of Ireland

It shall be pasteurised but shall not be sterilised, UHT treated or frozen.

<p>3.2 Alcohol Content The minimum alcoholic strength of Irish cream liqueur 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 liqueur.</p> <p>3.3 Irish Whiskey content Irish cream liqueur shall contain Irish Whiskey. Such whiskey must comply with the requirements specified in the Irish Whiskey Act, 1980 and any subsequent amendments.</p> <p>3.4 Sweetening/sugar use Irish cream liqueur 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.</p> <p>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 Regulation 1334/2008 (as amended) on flavourings and certain food ingredients with flavouring properties for use in and on foods.</p>	<p>3.2 Alcohol content</p> <ul style="list-style-type: none"> ▫ Check purchase of ethyl alcohol to ensure it's of agriculture origin. Verify at the establishment of the supplier ▫ Check records to see system in place for checking and recording sampling ▫ Records of Sample test results. Sampling as necessary <p>3.3 Irish Whiskey content</p> <ul style="list-style-type: none"> ▫ Check receipts for Irish whiskey ▫ Any queries to local HMRC official re provenance <p>3.4 Sweetening/ sugar</p> <ul style="list-style-type: none"> ▫ Show records demonstrating system in place ▫ Records of sampling system in place ▫ Records of sample test results. Sampling as necessary <p>3.5 Other ingredients Check against Regulation 1334/2008 (as amended).</p>
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Labelling

Requirement	Verification check
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<p>4.1 The label of any bottle of G.I. verified Irish cream must accurately describe the contents.</p>	<p>4.1 Check systems and controls to ensure that:</p> <ul style="list-style-type: none"> ○ Information displayed corresponds with bottle contents ○ The label content and design complies with sample label declared in advance by the producer
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Annex C: Irish poteen – Scheme of Verification Checks

General

Requirement	Verification Checks
<p>1. The distillery must be licenced in the State and must be authorised by HMRC as a manufacturing Tax Warehouse.</p> <p>2. The production of Irish poteen must take place in 4 stages, brewing, fermentation, distillation and bottling. All stages, other than bottling, must take place on the same site.</p> <p>3. The Distillery’s systems and procedures must support adherence to the requirements of the technical file for Irish poteen and must provide a complete record of each stage of production.</p>	<p>1. Verify that the distiller</p> <ul style="list-style-type: none"> ○ holds a distillers licence ○ is an authorised tax warehouse keeper and the distillery is approved by HMRC as a tax warehouse <p>2. Verify that the distillery’s systems and procedures and its plant, equipment and production processes</p> <ul style="list-style-type: none"> ○ are fully documented in a form readily accessible for each stage of production ○ are designed to ensure the end product adheres to the GI standard for Irish poteen ○ provide an accessible and complete record of inputs, outputs, processes and transactions relating to the stages of production of Irish poteen carried out in that distillery <p>3. If spirit products other than Irish poteen are produced or handled in the distillery verify that there are sufficient controls in place to ensure that the production of other spirit drinks do not compromise compliance with or verification of the GI standard for Irish poteen.</p> <p>Verify that the distillery’s systems and procedures are sufficient at all times to ensure:</p> <ul style="list-style-type: none"> ○ Accurate identification of GI and non-GI spirit production processes, materials and outputs ○ Complete separation of production and bottling processes for GI and non-GI products

	The distillery operates an effective system of control to ensure that non-GI alcohol products produced in the distillery cannot be bottled or marketed as Irish poteen
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Stage 1 – Brewing

Requirement	Verification Check
<p>1.1 The mash must contain ingredients that comply with the guidelines on the Technical File for Irish poteen provided by the ROI's Department of Agriculture, Food and Marine (DAFM).</p> <p>1.2 A minimum of 50% of ingredients used in the mash must be sourced in Ireland.</p> <p>1.3 If the finished poteen product is to be stored in wooden casks for up to 10 weeks, then the mash ingredients must include at least 2 of the ingredients specified in section 2 of the Technical File (in accordance with the guidelines provided by the ROI DAFM), one of which must be a non-cereal ingredient.</p> <p>1.4 The brewing process for mash using cereals, potatoes and sugar beet molasses must include the following processes as appropriate:</p> <p>1.4.1 Cereals: Cereals are milled and mixed with water to form a mash. This mash is put through a brewing programme to extract and convert the cereal starch into fermentable sugars.</p> <p>1.4.2 Potatoes: Unpeeled, whole or chopped potatoes are cooked initially to gelatinise the potato starch. Water is then added to form a mash and cooled to approximately 66°C .</p>	<p>1.1 Verify that the distillery's brewing procedures and the records of each brewing operation show that the ingredients used in the production of the mash comply with the ROI DAFM's guidance on ingredients for Irish poteen.</p> <p>1.2 Verify that the distillery's documented brewing procedures show a minimum of 50% of ingredients used in the production of Irish poteen are sourced in Ireland. Verify that the distillery's records for each batch show the geographical source of all ingredients for each batch brewed and verify that 50% of the ingredients for each batch are sourced in Ireland.</p> <p>1.3 Verify from the distillery's documented procedures and records that the batches of product intended to be stored in wooden casks are separately identifiable and verify in a sample of cases that the ingredients used from the batches comply with the standard.</p> <p>1.4 Verify from documents, procedures and distillery records that where a distillery is using cereals, potatoes and sugar beet molasses as mash ingredients, the appropriate brewing processes are followed as set out in the Technical File.</p>

<p>Milled, malted barley may be added at this stage and the mash is allowed to liquefy and saccharify where the potato starch is converted into fermentable sugars.</p> <p>1.4.3 Sugar beet molasses: the varying amount of fermentable sugar in sugar beet molasses may be adjusted at the brewing stage by the addition of water.</p> <p>1.5 Saccharification of the mash must take place by the action of enzymes contained in malted barley or other natural enzymes</p>	<p>1.5 Verify that the distiller maintains a list of all enzymes used in the production of Irish poteen and declared by the distiller as natural enzymes. Verify from a sample of purchase invoices and from a sample of brewing records that the enzymes from this list are used in the production of Irish poteen.</p>
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Stage 2 – Fermentation

Requirement	Verification Check
<p>2.1 Fermentation is by the action of yeast and natural enzymes only to produce a liquid known as “wash”.</p> <p>2.2 Mash, produced from brewing, can be fermented as a clear liquid (wort) after the removal of spent grain solids or as a “solids-in” liquid. For the clear liquid fermentation, the mash must be filtered in a lauter tun or mash filter to remove the solids.</p>	<p>2.1. Check that the distillery’s production procedures and the records of material used verify that fermentation is by the action of yeast and natural enzymes only.</p> <p>2.2 Check that the distillery’s production procedures and records show that where a clear liquid is fermented a lauter tun or mash filter is used to remove spent grain solids</p>

Stage 3 – Distillation

Requirement	Verification Check
<p><u>3.1 Distillation</u></p> <p>3.1.1 The fermented wash must be distilled to an alcoholic strength not exceeding 94.7% by volume. Product that has continually been in production since 1997 may be distilled to a strength above 94.7%.</p>	<p><u>3.1 Distillation</u></p> <p>3.1.1 Check the distillery’s records to verify that, on completion of distillation,</p> <ul style="list-style-type: none"> • the alcoholic strength and volume of each batch of Irish poteen is measured accurately and the results are recorded and

<p>3.1.2 Irish poteen must be distilled in a pot still, column still or hybrid still.</p> <p>3.1.3 In order to maintain the character of the distillate no subsequent treatments, such as activated charcoal filtration are permitted.</p> <p>3.1.4 The maximum methanol content per hectolitre of 100% volume alcohol is 30 grams.</p> <p><u>3.2 Flavourings</u></p> <p>3.2.1 Macerations/Infusions such as fruits, spices, berries, herbs, and other naturally occurring, indigenous, Irish plant materials can be added.</p> <p><u>3.3 Storage and Export</u></p> <p>3.3.1 Irish poteen may be stored in wooden casks for a period not exceeding ten weeks if it is produced using at least 2 of the required ingredients at the brewing stage (as set out in the guidelines provided by the Department of Agriculture), at least one of which is a non-cereal.</p>	<ul style="list-style-type: none"> ▫ the records show that all batches are of an alcoholic strength not exceeding 94.7% by volume ▫ If alcoholic strength is found to exceed 94.7%, verify that the product has continually been in production since 1997 and has been distilled at that strength since then <p>3.1.2 Verify that the Irish poteen is distilled in a pot still, column still or hybrid still that complies with guidelines issued by the ROI DAFM.</p> <p>3.1.3 Verify that documented procedures show that that no additional treatment/processes take place after distillation other than flavouring. Check a sample of records of distillation processes to verify that actual distillation procedures comply with the documented procedures.</p> <p>3.1.4 Check that the distiller accurately measures and records methanol levels in the distillate. Check a sample of these records to verify that the methanol levels are below the maximum allowance.</p> <p><u>3.2 Flavourings</u></p> <p>3.2.1 Check from distillery’s documentation the systems and controls that only naturally occurring, indigenous, Irish plant materials are used in maceration/infusion processes. Check a sample of purchase records to verify that the actual materials used for flavouring comply with the documented flavourings.</p> <p><u>3.3 Storage and Export</u></p> <p>3.3.1 Check that procedures and records can show that any product stored in casks:</p> <ul style="list-style-type: none"> ▫ can be identified at each stage of production ▫ is produced using the appropriate ingredients, including at least one non-cereal ingredient <p>▫ has not been stored for more than ten weeks</p>
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<p>3.3.2 Irish poteen may not be exported in wooden casks or wooden containers.</p>	<p>3.3.2 Verify from the producers documented systems and records that all Irish poteen intended for export, including poteen stored in wooden casks, is transferred into inert containers prior to removal from the G.I. premises.</p>
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Stage 4 – Bottling and Labelling

Requirement	Verification Check
<p>4.1 Bottling</p> <p>4.1.1 Spirits received for bottling as Irish Poteen must be produced in accordance with the Technical File for Irish poteen.</p> <p>4.1.2 Bottling must take place in an authorised tax warehouse or, in the case of duty-paid product, at a premises verified for bottling under the G.I. Scheme.</p> <p>4.1.3 Bottled Irish poteen has a minimum alcoholic strength by volume of 40%.</p> <p>4.2 Labelling</p> <p>4.3.1 The label on any bottle of G.I. verified Irish Poteen should accurately describe the contents.</p> <p>4.3.2 The label must bear the sales denomination “Irish Poitín” or “Irish Poteen”. The sales denomination must:</p>	<p>4.1 Bottling</p> <p>4.1.1 Check that there are adequate systems and procedures in place to provide assurance that the spirit received for bottling as Irish poteen is produced under GI verified processes.</p> <p>4.1.2 Ensure that the bottling premises is appropriately authorised by HMRC as an approved facility under the G.I. verification.</p> <p>4.1.3 Check that procedures and systems are in place to record the alcoholic strength by volume of each batch before bottling and verify, from a sample of records, that the minimum alcoholic strength of the bottled product is 40% by volume.</p> <p>4.2 Labelling</p> <p>4.3.1 Check that the producer’s systems and controls are adequate to ensure that</p> <ul style="list-style-type: none"> ▫ the information displayed on the label corresponds to the contents of the bottle ▫ the label content and design complies with the sample label declared in advance by the producer for verification purposes ▫ the information on the label and the supporting records enable the accurate identification of the source and type of any specific batch of product <p>4.3.2 Check a sample of labels to ensure that a valid sales denomination is used on the label.</p>

<ul style="list-style-type: none"> ○ be printed on the front of the bottle or packaging used for display purposes during marketing, ○ be prominent and in a conspicuous place 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 so that every word making up the name of the category is given equal prominence, ○ be as prominent as any other description of the spirit on the container or packaging. <p>The sales denomination must not be:</p> <ul style="list-style-type: none"> ○ overlaid or interrupted by other written or pictorial matter, ○ used in conjunction with other words <p>The phonetic spelling ‘Potcheen’ may be used as long as it is in addition to the sales denomination.</p> <p>4.3.3 Irish poteen products that have flavourings derived from a maceration or infusion process must bear an additional line stating the ingredients used “Made from an infusion of...”</p> <p>4.3.4 Flavoured Irish poteen must be labelled as ‘Flavoured Irish Poteen/Poitín’ and may reference the flavouring used “Flavoured with...”</p> <p>4.3.5 Irish poteen stored for a period not exceeding ten weeks after production must:</p> <ul style="list-style-type: none"> ○ indicate on the rear label as “Stored/held in wood for...weeks”, and ○ the labelling may not make reference to casks, maturation or aging on the label, presentation, marketing or packaging material. <p>4.3.6 The mix of raw materials used must be included on the label.</p>	<p>4.3.3 Verify that the producer’s systems and records are adequate to provide assurance that, where the flavouring is derived from a maceration or infusion process, the relevant appropriate information is stated on the label. Check a sample of labels to verify this.</p> <p>4.3.4 Verify that the producer’s systems and records are adequate to provide assurance that, where a flavouring ingredient is added, the relevant appropriate information stated on the label. Check a sample of labels to verify this.</p> <p>4.3.5 Verify that the producer’s systems and records are adequate to provide assurance that, where the product is stored in casks, the relevant appropriate information is stated on the label. Check a sample of labels to verify this.</p> <p>4.3.6 Verify that the producer’s systems and records are adequate to provide assurance that the</p>
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4.3.7 Irish poteen which has an abv of over 70% requires additional information on labels to advise consumers of the strength of the product.

details of the raw materials are included on the label. Check a sample of labels to verify this.

4.3.7 Verify that the producer's systems and records are adequate to provide assurance that, where the product has an abv of over 70%, the alcoholic strength and additional information is stated on the label. Check a sample of labels to verify that the correct strength is stated on the label.

Annex D: 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 3 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 3 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 3 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 3 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 3 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 3 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 2 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 3 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 2 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 4 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 3 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 2 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 3 stage or a 2 stage process:

- Where a 2 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 2 stage column distillation system typically consists of a beer column and rectifying column, whereas a typical 3 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 % volume

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 3 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 4 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 5 "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 5 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 2 Departments responsible for geographical indications in the 2 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, 2 or 3 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 6 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 whiskies 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 2 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 6 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 4. This became 2 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
- 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 3 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 2 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 E: 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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- 2.2. Appearance
- 2.3. Compositional Standards
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 - 2.3.4. Sweetening / Sugar use
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3. Definition of the geographical area concerned

The geographical area consists of the island of Ireland, including Northern Ireland

4. The method for obtaining the spirit drink

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7. Name and address of Applicant

- 7.1. Applicant name
- 7.2. Address

8. Official Controls

9. Supplemental information

9.1 History

9.2 Economics and Exports

10. Specific Labelling Rules

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 2 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 – ‘2 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 2 methods

The difference in the 2 processes consequently lies in the fact that in the single stage process all ingredients are homogenized while, in the 2 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 3 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 2 Departments responsible for geographical indications in the 2 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 F: 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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4.1 Stages in the production process

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

5.2 Specific characteristics of the spirit drink attributable to the geographical area

6. Any requirements laid down by community and/or national provisions and/or regional

7. Name and address of applicant

8. Supplemental information

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 3 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 3 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 3 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 2 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 2 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 4 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 2 Departments responsible for geographical indications in the 2 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

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

Annex G: Guidance Note on Ingredients for Irish Poteen production

Ingredients (raw materials and flavourings) used in the Production of Irish Poteen/Poitín

The Technical file for Irish Poteen/Poitín submitted to the European Commission on 20th February 2015 includes several references to ingredients. These may be summarised as follows:

Ingredients

Raw materials: Irish Poteen/Irish Poitín may be made with cereals (mainly barley, malted barley), potatoes, sugar beet molasses, treacle, corn and whey. There is no definitive list of ingredients that may be used, the general rule is that they should be normally grown in Ireland's mild and temperate climate. Ingredients which cannot or were not traditionally grown or used e.g. rice, mangoes, pineapples etc.; **cannot** be used in the production of Irish Poteen/ Irish Poitín.

Flavourings: Irish fruits such as apples, raspberries, blackberries, strawberries, gooseberries, loganberries may be used for flavouring in an infusion or maceration.

If Revenue control officers come across ingredients being used as raw materials or flavourings that are not mentioned in the Technical File or do not meet the above condition, they may contact the Department of Agriculture, Food and the Marine for further guidance.

50% rule: The **50% Irish grown** rule applies to all raw materials used in Irish Poteen/ Irish Poitín production. The allowance to source elsewhere up to 50% of ingredients, which are normally grown in Ireland's mild and temperate climate, takes account of seasonal and supply issues.

Specific references in Irish Poteen/Poitin Technical File

2. (first para) traditionally brewed, fermented and distilled from cereals, grain, whey, sugar beet molasses and potatoes'

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.

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.

.....

.....

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.

.....

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.

.....

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 8.

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 8.

5.1.2.

(first para) ‘ 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.

5.2.a

(first para)

.... It is traditionally distilled from cereals, grain, sugar beet molasses and potatoe.

.....

(sixth para)

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.

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.