

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NOTICE 722 OF 2016

LIQUOR PRODUCTS ACT, 1989

(ACT No. 60 OF 1989)

PROHIBITION OF THE USE OF GEOGRAPHICAL INDICATIONS OF THE EUROPEAN UNION IN CONNECTION WITH THE SALE OF LIQUOR PRODUCTS

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under sections 11(4) and 13A of the Liquor Products Act, 1989 (Act No. 60 of 1989), hereby –

- (a) publish the prohibition set out in the Schedule; and
- (b) determine that the said prohibition shall come into operation on 1 October 2016.

S. ZOKWANA,
Minister of Agriculture, Forestry and Fisheries.

SCHEDULE

Definition

1. Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning unless the context otherwise indicates, and "the Act" means the Liquor Products Act, 1989 (Act No. 60 of 1989), and the regulations made thereunder.

Prohibition of the use of geographical indications of the European Union

2. (1) No person shall use in connection with the sale of a liquor product, whether produced or imported into the Republic, a geographical indication specified in column 2 of the Table unless that geographical indication is lawfully used in connection with that liquor product, which shall originate from the country specified in column 1 of the Table opposite that geographical indication.

(2) The prohibition in subparagraph (1) includes:
 - (a) Any direct or indirect commercial use of such a geographical indication in so far as such use exploits the reputation of that geographical indication.
 - (b) Any misuse, imitation or evocation of such a geographical indication including:
 - (i) Use in conjunction with an indication of the true origin of the liquor product in question.
 - (ii) Use in translation, transcription or transliteration.
 - (iii) Use together with words such as "kind", "type", "style", "imitation", "method", or similar words or expressions.

- (c) Any other false or misleading indication as to the provenance, origin, nature or essential qualities of that liquor product, on the inner or outer packaging, advertising material or documents relating to that liquor product, and the packing of that liquor product in a container liable to convey a false impression as to its origin.
 - (d) Any other practice liable to mislead the consumer as to the true origin of that liquor product.
- (3) (a) The provisions of subparagraphs (1) and (2) are without prejudice to –
- (i) the continued use of a trade mark which has been applied for, registered or established by use in good faith, before the date of the application for protection of such a geographical indication provided that no grounds for the trade mark's invalidity or revocation exist; and
 - (ii) the right of any person to use, in the course of trade, that person's name or the name of that person's predecessor in business, except where such name is used in such a manner as to mislead consumers.
- (b) The date of application for protection referred to subparagraph (a)(i) shall be the date specified in column 3 of the Table opposite the geographical indication concerned.

TABLE

	Country	Geographical indication	Date
	1	2	3
1	Germany	Franken	1 February 2002
2	Germany	Mittelrhein	1 February 2002
3	Germany	Mosel	1 February 2002
4	Germany	Rheingau	1 February 2002
5	Germany	Rheinhessen	1 February 2002
6	Greece	Αμύνταιο / Amynteo	1 October 2016
7	Greece	Κρήτη / Crete	1 October 2016
8	Greece	Μακεδονία / Macedonia	1 October 2016
9	Greece	Μαντινεία / Mantinia	1 October 2016
10	Greece	Νάουσα / Naoussa	1 October 2016
11	Greece	Νεμέα / Nemea	1 October 2016
12	Greece	Πελοπόννησος / Peloponnese	1 October 2016
13	Greece	Ρετσίνα Αττικής / Retsina of Attiki	1 October 2016
14	Greece	Ρόδος / Rhodes	1 October 2016
15	Greece	Σάμος / Samos	1 October 2016
16	Greece	Σαντορίνη / Santorini	1 October 2016
17	Greece	Στερεά Ελλάδα / Sterea Ellada	1 October 2016
18	Greece	Θράκη / Thrace	1 October 2016
19	Spain	Cataluña	1 October 2016
20	Spain	Cava	1 February 2002
21	Spain	Empordà	1 October 2016
22	Spain	Jerez-Xérès-Sherry / Jerez / Xérès / Sherry	2 February 1659
23	Spain	Jumilla	1 February 2002
24	Spain	La Mancha	1 February 2002
25	Spain	Málaga	1 February 2002
26	Spain	Manzanilla-Sanlúcar de Barrameda / Manzanilla	1 February 2002
27	Spain	Navarra	1 February 2002
28	Spain	Penedès	1 February 2002
29	Spain	Priorat	1 February 2002
30	Spain	Rías Baixas	1 February 2002
31	Spain	Ribera del Duero	1 February 2002
32	Spain	Rioja	1 February 2002
33	Spain	Rueda	1 February 2002
34	Spain	Somontano	1 February 2002
35	Spain	Toro	1 February 2002
36	Spain	Utiel-Requena	1 February 2002
37	Spain	Valdepeñas	1 February 2002
38	Spain	Valencia	1 February 2002
39	France	Alsace	1 February 2002
40	France	Anjou	1 February 2002
41	France	Beaujolais	1 February 2002
42	France	Beaune / Côte de Beaune	1 February 2002
43	France	Bordeaux	1 February 2002
44	France	Bourgogne	1 February 2002

	Country	Geographical indication	Date
45	France	Cahors	1 February 2002
46	France	Chablis	1 February 2002
47	France	Chambertin	1 February 2002
48	France	Champagne	26 June 1935
49	France	Châteauneuf-du-Pape	1 February 2002
50	France	Clos de Vougeot	1 February 2002
51	France	Corton	1 February 2002
52	France	Côte Rôtie	1 February 2002
53	France	Côtes de Provence	1 February 2002
54	France	Côtes du Rhône	1 February 2002
55	France	Côtes du Roussillon	1 February 2002
56	France	Graves / Graves de Vayres	1 February 2002
57	France	Crozes-Hermitage / Crozes-Ermitage / Hermitage / l'Hermitage / Ermitage / l'Ermitage	1 February 2002
58	France	Languedoc	1 February 2002
59	France	Margaux	1 February 2002
60	France	Médoc / Haut-Médoc	1 February 2002
61	France	Meursault	1 February 2002
62	France	Montrachet	1 February 2002
63	France	Moselle	1 February 2002
64	France	Musigny	1 February 2002
65	France	Nuits / Nuits-Saint-Georges / Côte de Nuits-Villages	1 February 2002
66	France	Pays d'Oc	1 February 2002
67	France	Pessac-Léognan	1 February 2002
68	France	Pomerol	1 February 2002
69	France	Pommard	1 February 2002
70	France	Quincy	1 February 2002
71	France	Romanée Conti	1 February 2002
72	France	Saint-Estèphe	1 February 2002
73	France	Saint-Émilion	1 February 2002
74	France	Saint-Julien	1 February 2002
75	France	Sancerre	1 February 2002
76	France	Sauternes	1 February 2002
77	France	Touraine	1 February 2002
78	France	Val de Loire	1 February 2002
79	France	Volnay	1 February 2002
80	Italy	Asti	1 February 2002
81	Italy	Barbaresco	1 February 2002
82	Italy	Bardolino / Bardolino Superiore	1 February 2002
83	Italy	Barolo	1 February 2002
84	Italy	Brachetto d'Acqui / Acqui	1 February 2002
85	Italy	Brunello di Montalcino	1 February 2002
86	Italy	Campania	1 February 2002
87	Italy	Chianti	1 February 2002

	Country	Geographical indication	Date
88	Italy	Conegliano Valdobbiadene – Prosecco / Conegliano – Prosecco / Valdobbiadene – Prosecco	1 October 2016
89	Italy	Alba	1 February 2002
90	Italy	Franciacorta	1 February 2002
91	Italy	Lambrusco di Sorbara	1 February 2002
92	Italy	Lambrusco Grasparossa di Castelvetro	1 February 2002
93	Italy	Marsala	1 February 2002
94	Italy	Montepulciano d'Abruzzo	1 February 2002
95	Italy	Sicilia	1 February 2002
96	Italy	Soave	1 February 2002
97	Italy	Toscano / Toscana	1 February 2002
98	Italy	Valpolicella	1 February 2002
99	Italy	Veneto	1 February 2002
100	Italy	Vino Nobile di Montepulciano	1 February 2002
101	Cyprus	Κουμανδάρια / Commandaria	1 October 2016
102	Cyprus	Πάφος / Pafos	1 October 2016
103	Hungary	Tokaj / Tokaji	1 October 2016
104	Portugal	Alentejo	1 February 2002
105	Portugal	Algarve	1 February 2002
106	Portugal	Bairrada	1 February 2002
107	Portugal	Dão	1 February 2002
108	Portugal	Douro	1 February 2002
109	Portugal	Lisboa	1 October 2016
110	Portugal	Madeira / Madera / Vinho da Madeira / Madeira Wein / Madeira Wine / Vin de Madère / Vino di Madera / Madeira Wijn	1 February 2002
111	Portugal	Moscatel de Setúbal	1 February 2002
112	Portugal	Porto / Oporto / Vinho do Porto / Vin de Porto / Port / Port Wine / Portwein / Portvin / Portwijn	2 February 1659
113	Portugal	Tejo	1 October 2016
114	Portugal	Vinho Verde	1 February 2002
115	Romania	Cotești	1 October 2016
116	Romania	Cotnari	1 October 2016
117	Romania	Dealul Mare	1 October 2016
118	Romania	Murfatlar	1 October 2016
119	Romania	Târnave	1 October 2016
120	Slovakia	Vinohradnícka oblasť Tokaj	1 October 2016
121	Ireland	Irish Cream	1 February 2002
122	Ireland	Irish Whiskey / Uisce Beatha Eireannach / Irish Whisky	1 February 2002
123	Greece	Τσίπουρο / Tsipouro	1 February 2002
124	Spain	Brandy de Jerez	1 February 2002
125	Spain	Pacharán Navarro	1 February 2002
126	France	Armagnac	1 February 2002
127	France	Calvados	1 February 2002
128	France	Cognac	1 February 2002

	Country	Geographical indication	Date
129	France	Rhum de la Martinique	1 February 2002
130	Italy	Grappa	1 February 2002
131	Cyprus	Ζιβανία / Τζιβανία / Ζιβάνα / Zivania	1 October 2016
132	Hungary, Austria	Pálinka	1 October 2016
133	Hungary	Törkölypálinka	1 October 2016
134	Austria	Inländerrum	1 October 2016
135	Austria	Jägertee / Jagertee / Jagatee	1 February 2002
136	Poland	Polska Wódka / Polish Vodka	1 October 2016
137	Finland	Vodka of Finland / Suomalainen Vodka / Finsk Vodka	1 February 2002
138	Sweden	Svensk Vodka / Swedish Vodka	1 February 2002
139	United Kingdom	Scotch Whisky	1 February 2002
140	Belgium, Germany, Austria	Korn / Kornbrand	1 February 2002
141	Greece, Cyprus	Ούζο / Ouzo	1 February 2002