ANNEX VI

AGREEMENT ON TRADE IN SPIRIT DRINKS AND AROMATISED DRINKS

Article 1
Objectives

The Parties shall, on the basis of non-discrimination and reciprocity, facilitate and promote trade in spirit drinks and aromatised drinks produced in Chile and in the Community, under the terms and provided for in this Agreement.

Article 2
Scope and coverage

This Agreement applies to spirit drinks falling under heading 22.08 and aromatised drinks falling under heading 22.05 of the Harmonised Commodity Description and Coding System (“HS”), which are produced in accordance with the applicable legislation regulating the production of a particular type of spirit drinks or aromatised drinks within the Party.

Article 3
Definitions

For the purposes of this Agreement, unless otherwise provided for:

(a) "originating", when used in relation to the name of a Party, shall require that a spirit drink or an aromatised drink is produced entirely within that Party;

(b) “homonymous” means the same protected designation, or such a term so similar as to be likely to cause confusion, to denote different places, procedures or things;

(c) “description” means the words used to describe a spirit drink or an aromatised drink on a label or documents accompanying the transport of spirit drinks and aromatised drinks, on commercial documents particularly invoices and delivery notes, and advertising material, and “describe” shall have a similar meaning;

(d) “labelling” means all descriptions and other references, signs, designs, protected designations or trademarks which distinguish spirit drinks and aromatised drinks and which appear on the container, including its sealing device or the tag attached to the container and the sheathing covering the neck of bottles;

(e) “Member State” means a Member State of the Community;

(f) “presentation” means the words or signs used on containers, including their closure, labels and packaging;
(g) “packaging” means the protective wrappings, such as papers, straw envelopes of any kind, cartons and cases used for transport of one or more containers or for sale to the ultimate consumer;

(h) “produced” means the entire process of spirit drink-making and aromatised drink-making;

(i) “identification”, when used in relation to protected designations, means the use of protected designations for the purpose of describing or presenting a spirit drink or an aromatised drink;

(j) “Agreement” means this Agreement and its Appendices;

(k) “Association Agreement” means the Agreement establishing an Association between the Parties, to which this Agreement is annexed;

(l) “Association Committee” means the Committee referred to in Article 193 of the Association Agreement.

**Article 4**

**General rules on importation and marketing**

1. Unless otherwise provided for in this Agreement, trade and marketing of spirit drinks and aromatised drinks shall be conducted in compliance with the laws and regulations of the Party concerned.

2. This Agreement shall be without prejudice to rules applying in Chile and rules applying in the Community on taxation or other relevant control measures.

**TITLE I**

**MUTUAL PROTECTION OF PROTECTED DESIGNATIONS FOR SPIRIT DRINKS AND AROMATISED DRINKS**

**Article 5**

**Protection of protected designations**

1. The Parties shall take all necessary steps in accordance with this Agreement to ensure mutual protection exclusively for the names referred to in Article 6 and used for describing and presenting spirit drinks and aromatised drinks that, within the meaning of Article 3, originate in the Parties. To that end, each Party shall make use of the appropriate legal means referred to in Article 23 of the WTO TRIPS Agreement to ensure an effective protection and prevent protected designations from being used to describe a spirit drink or an aromatised drink not covered by the indications or descriptions concerned.

2. The names referred to in Article 6 shall be reserved exclusively for the products originating in the Party to which they apply and may be used only under the conditions laid down in the laws and regulations of that Party.
3. Protection as referred to in paragraphs 1 and 2 shall provide, in particular, for the exclusion of any use of the names referred to in Article 6 for spirit drinks and aromatised drinks that do not originate in the geographical area in question, even if:

(i) the actual origin of the product is shown;

(ii) the name in question is used as a translation; and

(iii) the name is accompanied by terms such as 'kind', 'type', 'style', 'imitation', 'method' or other expressions of the sort.

4. In the case of homonymous protected designations:

(a) where two protected designations protected under this Agreement are homonymous, protection shall be granted to both of them; the consumer shall not be misled as to the actual origin of the spirit drinks and aromatised drinks;

(b) where a protected designation protected under this Agreement is homonymous with the name of a geographical area outside the Parties, the latter name may be used to describe and present a spirit drink or an aromatised drink of the geographical area to which the name refers, provided it is traditionally and consistently used, its use for that purpose is regulated by the country of origin and consumers are not misled into believing that the spirit drink or the aromatised drink originates in the Party concerned.

5. The Parties may, where necessary, lay down the practical conditions of use to make a distinction among the homonymous protected designations referred to in paragraph 4, bearing in mind the need to treat the producers concerned fairly and to ensure that consumers are not misled.

6. The provisions of this Article shall in no way prejudice the right of any natural or legal 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 the public. Further, Article 7(1) shall not apply to such names which are registered trademarks at the date of entry into force of this Agreement.

7. Where a Party, in the context of negotiations with a third country, proposes to protect a protected designation for a spirit drink or an aromatised drink of that third country, and that name is homonymous with a protected designation of the other Party, the latter shall be informed and be given a chance to comment before the name becomes protected.

Article 6

Protected designations

The following names shall be those referred to in Article 5:

(a) as regards spirit drinks and aromatised drinks originating in the Community:

(i) terms referring to the Member State in which the product originates;
(ii) the protected designations listed in Appendix I.

(b) as regards spirit drinks and aromatised drinks originating in Chile:

(i) terms referring to Chile;

(ii) the protected designations listed in Appendix I.

Article 7
Protected designations and trademarks

1. Registration of a trademark for a spirit drink or an aromatised drink within the meaning of Article 3 which is identical with, or similar to, or contains a protected designation protected under Article 5 shall be refused.

2. On the basis of the Chilean trademark register as established on 10 June 2002, the trademarks listed in Appendix II shall be cancelled within 12 years for the internal market and five years for export from the date of entry into force of this Agreement.

3. The trademarks listed in Appendix II for spirit drinks and aromatised drinks that have been exported on average in less than 1000 boxes of 9 litres during the period 1999-2001 shall be cancelled at the date of entry into force of this Agreement.

Article 8
Protected trademarks

1. The Parties are not aware, on the basis of the Chilean trademark register as established on 10 June 2002 of any trademarks other than those listed in Article 7(2) which are identical with, or similar to, or contain the protected designation referred to in Article 6.

2. Pursuant to paragraph 1, the Parties shall not deny the right to use a trademark contained in the Chilean trademark register on 10 June 2002, other than those referred to in Article 7(2) on the basis that such a trademark is identical with, or similar to, or contains a protected designation listed in Appendix I.

3. The holders of the trademarks other than those referred to in Article 7(2) registered in a Party that are not also registered in the other Party may apply within two years from the date of the entry into force of this Agreement to request the registration of such trademarks in the other Party. In this case, that Party shall not reject such a request on the basis that such a trademark is identical with, or similar to, or contains a protected designation contained in Appendix I.

4. Trademarks which are identical with, or similar to, or contain the protected designations referred to in Article 7 may not be invoked against the use of the protected designations to describe or present those spirit drinks or aromatised drinks which are entitled to use those protected designations.
**Article 9**

**Originating spirit drinks**

The Parties shall take all steps necessary to ensure that, where spirit drinks and aromatised drinks originating in a Party is exported and marketed outside that Party, the protected names of a Party referred to in Article 6 are not used to describe and present such products as originate in the other Party.

**Article 10**

**Extension of protection**

To the extent that the relevant legislation of each Party so allows, the benefit of protection granted by this Agreement shall be extended to natural and legal persons, corporate bodies and federations, associations and organisations of producers, traders and consumers whose headquarters are located in the other Party.

**Article 11**

**Protected designations unprotected in their country of origin**

Nothing in this Agreement shall bind a Party to protect a protected designation of the other Party which is not protected in its country of origin.

**Article 12**

**Enforcement**

1. If the competent body designated in accordance with Article 14 becomes aware that the description or presentation of a spirit drink or an aromatised drink, particularly on labels or in official or commercial documents or in advertising material, is in breach of the protection given by this Agreement, the Parties shall apply the necessary administrative measures and/or initiate legal proceedings, as appropriate, in order to combat unfair competition or to prevent in any other way any misuse of a name referred to in Article 6.

2. The measures and proceedings laid down in paragraph 1 shall be taken, in particular, in the following cases:

   (a) where the translation of descriptions provided for by the Community or Chilean legislation into the language or languages of the other Party results in a word which is liable to be misleading as to the origin, nature or quality of the spirit drinks or the aromatised drinks thus described or presented;

   (b) where descriptions, trademarks, names, inscriptions or illustrations which directly or indirectly give false or misleading information as to the provenance, origin, nature, vine variety or material qualities of a spirit drink or an aromatised drink appear on containers or packaging, advertising material, or in official or commercial documents relating to spirit drinks and aromatised drinks whose names are protected under this Agreement;

   (c) where, for packaging, containers are used which are misleading as to the origin of spirit
drinks or aromatised drinks.

3. The application of paragraphs 1 and 2 shall not hinder the possibility of the authorities and bodies referred to in Article 14 to take appropriate actions in the Parties, including their courts.

TITLE III
SANITARY AND PHYTOSANITARY MEASURES

Article 13
Sanitary and phytosanitary measures

1. The provisions of this Agreement shall be without prejudice to the right of the Parties to take sanitary and phytosanitary measures necessary for the protection of human, animal or plant life or health, provided that such measures are not incompatible with the provisions of the WTO SPS Agreement and of the Agreement on Sanitary and Phytosanitary Measures applicable to Trade in Animals and Animal Products, Plants, Plant Products and other Goods and Animal Welfare, set out in Annex IV of the Association Agreement.

2. Without prejudice to paragraph 1, each Party shall endeavour to inform the other Party, under the procedures set out in Article 19 and at the earliest reasonable opportunity of developments which could lead, in relation to spirit drinks and aromatised drinks marketed in that Party, to the adoption of such measures, especially those concerning the setting of specific limits on contaminants and residues with a view to agreeing a common approach.

TITLE IV
MUTUAL ASSISTANCE BETWEEN CONTROL AUTHORITIES

Article 14
Enforcement authorities

1. Each Party shall designate the bodies to be responsible for the implementation of this Agreement. Where a Party designates more than one competent body, it shall ensure the coordination of the work of those bodies. For this purpose, a single liaison authority shall be designated.

2. The Parties shall inform one another of the names and addresses of the bodies and authorities referred to in paragraph 1 within two months after this Agreement the entry into force of this Agreement. There shall be close and direct cooperation between those bodies.

3. The bodies and authorities referred to in paragraph 1 shall seek ways of improving assistance to each other in implementing this Agreement and combating fraudulent practices, in accordance with the respective Party’s legislation.
Article 15
Enforcement activities

1. If one of the bodies or authorities designated in accordance with Article 14 has reason to suspect that:

   (a) there is or has been a failure to comply with this Agreement or with provisions laid down in the laws and regulations of a Party in respect of a spirit drink or an aromatised drink being or having been traded between the Parties, and

   (b) this failure to comply is of particular interest to the other Party and could result in the adoption of administrative measures or initiation of legal proceedings being taken,

   it shall immediately inform the competent bodies and the liaison authority of the other Party.

2. The information to be provided in accordance with paragraph 1 shall be accompanied by official, commercial or other appropriate documents, as well as an indication of the administrative measures or legal proceedings to be taken or initiated, if necessary. The information shall include, in particular, the following details of the spirit drinks or the aromatised drinks concerned:

   (a) the producer and the natural or legal person who has power to dispose of the spirit drinks or the aromatised drinks;

   (b) the composition and organoleptic characteristics of the spirit drinks or the aromatised drinks;

   (c) the description and presentation of the spirit drinks or the aromatised drinks; and

   (d) details of the non-compliance with the rules concerning production and marketing.

TITLE V
MANAGEMENT OF THE AGREEMENT

Article 16
Tasks of the Parties

1. The Parties shall, either directly or through the Joint Committee established pursuant to Article 17, maintain contact on all matters relating to the implementation and the functioning of this Agreement.

2. In particular, the Parties shall:

   (a) amend the Appendices to take account of any amendments to the laws and regulations of the Parties;

   (b) determine the practical conditions referred to in Article 5(6);
(c) inform each other of the intention to decide new regulations or amendments to existing regulations of concern to the spirit drinks and aromatised drinks sector, such as on health or consumer protection, with their implication for the spirit drinks and aromatised drinks sector; and

(d) notify each other legislative, administrative and judicial decisions concerning the implementation of this Agreement and inform each other of measures adopted on the basis of such decisions.

Article 17

Joint Committee

1. A Joint Committee shall be established, consisting of representatives of the Parties. The Committee shall meet at the request of a Party and in accordance with the requirements for implementing this Agreement alternately in the Community and in Chile convened at a time and place mutually agreed by the Parties.

2. The Joint Committee shall see to the proper functioning of this Agreement and examine all issues which may arise in its implementation.

3. In particular, the Joint Committee may make recommendations in furtherance of the objectives of this Agreement.

4. It shall facilitate contacts and exchange of information to optimise the functioning of this Agreement.

5. It shall put forward proposals on issues of mutual interest in the spirit drinks and aromatised drinks sector.

TITLE VI

GENERAL PROVISIONS

Article 18

Transit - small quantities

Titles I and III shall not apply to spirit drinks or aromatised drinks:

(a) that are in transit through a Party; or

(b) that originate in a Party and are consigned in small quantities between those the Parties under the terms and conditions conforming to the procedures provided for in Appendix III (Protocol).
Article 19
Consultations

1. If a Party considers that the other Party has failed to fulfil an obligation under this Agreement, it shall submit a written notice to this effect to the other Party. This notice may request the other Party to hold consultations within a specified period.

2. The Party which requests consultations shall provide the other Party with all the information necessary for a detailed examination of the case in question.

3. In cases where a delay could endanger human health or impair the effectiveness of measures to control fraud, appropriate provisional protective measures may be taken, without prior consultation, provided that consultations are held as soon as possible after taking these measures.

4. If, following the consultations provided for in paragraphs 1 and 3, the Parties have not reached an agreement:

   (a) the Party which has requested the consultations or adopted the measures referred to in paragraph 3 may take appropriate protective measures so as to permit the proper implementation of this Agreement;

   (b) each Party may invoke the dispute settlement mechanism set out in Article 20.

Article 20
Dispute settlement

1. Any dispute relating to the implementation or interpretation of this Agreement shall be settled by recourse to the dispute settlement mechanism referred to in Part IV of the Association Agreement.

2. By way of derogation from Article 184 of the Association Agreement, where the Parties have held consultations under Article 19, the complaining Party may proceed directly to request the establishment of an arbitration panel.

Article 21
Marketing of pre-existing stocks

1. Spirit drinks and aromatised drinks which, at the date of or prior to the entry into force of this Agreement, have been produced, described and presented in accordance with the internal laws and regulations of the respective Party, but in a manner prohibited by this Agreement, may be marketed under the following conditions:

   where products are described and labelled using protected designations protected by this Agreement, they may continue to be marketed:

   (a) by wholesalers or producers, for a period of three years;
(b) by retailers, until stocks are exhausted.

2. Spirit drinks and aromatised drinks produced, described and presented in accordance with this Agreement whose description or presentation have ceased to conform to this Agreement following an amendment thereto may be marketed until stocks are exhausted unless otherwise agreed by the Parties.

Article 22
Appendices

The Appendices to this Agreement shall form an integral part hereof.
Appendix I

(Referred to in Article 6)

PROTECTED DESIGNATIONS FOR SPIRIT DRINKS AND AROMATISED DRINKS

A. List of protected designations for spirit drinks originating in the Community
B. List of protected designations for spirit drinks originating in Chile
C. List of protected designations of aromatised drinks originating in the Community
D. List of protected designations of aromatised drinks originating in Chile

A. List of protected designations of spirit drinks originating in the Community:

1. Rum
   Rhum de la Martinique
   Rhum de la Guadeloupe
   Rhum de la Réunion
   Rhum de la Guyane
   (The term "traditional" may be added to these names)
   Ron de Málaga
   Ron de Granada
   Rum da Madeira

2. (a) Whisky
   Scotch Whisky
   Irish Whisky
   Whisky español
   (The terms "malt" or "grain" may be added to these names)

   (b) Whiskey
   Irish Whiskey
   Uisce Beatha Eireannach/Irish Whiskey
   (The term "Pot Still" may be added to these names)

3. Grain spirit
   Eau-de-vie de seigle de marque nationale luxembourgeoise
   Korn / Kornbrand

4. Wine spirit
   Eau-de-vie de Cognac
   Eau-de-vie des Charentes
   Cognac
   (One of the following terms may be added to this name:
– Fine,
– Grande Fine Champagne,
– Grande Champagne,
– Petite Champagne,
– Petite Fine Champagne,
– Fine Champagne,
– Borderies,
– Fins Bois,
– Bons Bois)
Fine Bordeaux
Armagnac
Bas-Armagnac
Haut-Armagnac
Ténarèse
Eau-de-vie de vin de la Marne
Eau-de-vie de vin originaire d'Aquitaine
Eau-de-vie de vin de Bourgogne
Eau-de-vie de vin originaire du Centre-Est
Eau-de-vie de vin originaire de Franche-Comté
Eau-de-vie de vin originaire du Bugey
Eau-de-vie de vin de Savoie
Eau-de-vie de vin originaire des Coteaux de la Loire
Eau-de-vie de vin des Côtes-du-Rhône
Eau-de-vie de vin originaire de Provence
Faugères/eau-de-vie de Faugères
Eau-de-vie de vin originaire du Languedoc
Aguardente do Minho
Aguardente do Douro
Aguardente da Beira Interior
Aguardente da Bairrada
Aguardente do Oeste
Aguardente do Ribatejo
Aguardente do Alentejo
Aguardente do Algarve
Aguardente de Vinho da Região dos Vinhos Verdes
Aguardente da Região dos Vinhos Verdes Alvarinho
Lourinhã

5. Brandy

Brandy de Jerez
Brandy del Penedés
Brandy italiano
Brandy Attica/Brandy of Attica
Brandy Illyrians/Brandy of the Peloponnese
Brandy Korfu/Brandy of Central Greece
Deutscher Weinbrand
Wachauer Weinbrand, Weinbrand Dürnstein

6. Grape marc spirit
Eau-de-vie de marc de Champagne/marc de Champagne
Eau-de-vie de marc originaire d’Aquitaine
Eau-de-vie de marc de Bourgogne
Eau-de-vie de marc originaire du Centre-Est
Eau-de-vie de marc originaire de Franche-Comté
Eau-de-vie de marc originaire de Bugey
Eau-de-vie de marc originaire de Savoie
Marc de Bourgogne
Marc de Savoie
Marc d’Auvergne
Eau-de-vie de marc originaire des Coteaux de la Loire
Eau-de-vie de marc des Côtes du Rhône
Eau-de-vie de marc originaire de Provence
Eau-de-vie de marc originaire du Languedoc
Marc d'Alsace Gewürztraminer
Marc de Lorraine
Bagaceira do Minho
Bagaceira do Douro
Bagaceira da Beira Interior
Bagaceira da Bairrada
Bagaceira do Oeste
Bagaceira do Ribatejo
Bagaceira do Alentejo
Bagaceira do Algarve
Aguardente Bagaceira da Região dos Vinhos Verdes
Bagaceira da Região dos Vinhos Verdes Alvarinho
Orujo gallego
Grappa
Grappa di Barolo
Grappa piemontese/Grappa del Piemonte
Grappa lombarda/Grappa di Lombardia
Grappa trentina/Grappa del Trentino
Grappa friulana/Grappa del Friuli
Grappa veneta/Grappa del Veneto
Südtiroler Grappa/Grappa dell’Alto Adige
Tsipouro Κρήτης/Tsikoudia of Crete
Tsipouro Μακεδονίας/Tsipouro of Macedonia
Tsipouro Θεσσαλίας/Tsipouro of Thessaly
Tsipouro Τυρνάβου/Tsipouro of Trynvos
Eau-de-vie de marc de marque nationale luxembourgeoise

7. Fruit spirit

Schwarzwälder Kirschwasser
Schwarzwälder Himbeergeist
Schwarzwälder Mirabellenwasser
Schwarzwälder Williamsbirne
Schwarzwälder Zwetschgenwasser
Fränkisches Zwetschgenwasser
Fränkisches Kirschwasser
Fränkischer Obstler
Mirabelle de Lorraine
Kirsch d'Alsace
Quetsch d'Alsace
Framboise d'Alsace
Mirabelle d'Alsace
Kirsch de Fougerolles
Südtiroler Williams/Williams dell'Alto Adige
Südtiroler Aprikot/Südtiroler
Marille/Aprikot dell'Alto Adige/Marille dell'Alto Adige
Südtiroler Kirsch/Kirsch dell'Alto Adige
Südtiroler Zwetschgeler/Zwetschgeler dell'Alto Adige
Südtiroler Obstler/Obstler dell'Alto Adige
Südtiroler Gravensteiner/Gravensteiner dell'Alto Adige
Südtiroler Golden Delicious/Golden Delicious dell'Alto Adige
Williams friulano/Williams del Friuli
Sliwovitz del Veneto
Sliwovitz del Friuli-Venezia Giulia
Sliwovitz del Trentino-Alto Adige
Distillato di mele trentino/Distillato di mele del Trentino
Williams trentino/Williams del Trentino
Sliwovitz trentino/Sliwovitz del Trentino
Aprikot trentino/Aprikot del Trentino
Medronheira do Algarve
Medronheira do Buçaco
Kirsch/Kirschwasser Friulano
Kirsch/Kirschwasser Trentino
Kirsch/Kirschwasser Veneto
Aguardente de pêra da Lousã
Eau-de-vie de pommes de marque nationale luxembourgeoise
Eau-de-vie de poires de marque nationale luxembourgeoise
Eau-de-vie de kirsch de marque nationale luxembourgeoise
Eau-de-vie de quetsch de marque nationale luxembourgeoise
Eau-de-vie de mirabelle de marque nationale luxembourgeoise
Eau-de-vie de prunelles de marque nationale luxembourgeoise
Wachauer Marillenbrand

8. Cider spirit and perry spirit

Calvados du Pays d'Auge
Calvados
Eau-de-vie de cidre de Bretagne
Eau-de-vie de poiré de Bretagne
Eau-de-vie de cidre de Normandie
Eau-de-vie de poiré de Normandie
Eau-de-vie de cidre du Maine
Aguardiente de sidra de Asturias
Eau-de-vie de poiré du Maine
9. Gentian spirit
   Bayerischer Gebirgsenzian
   Südtiroler Enzian/Genzians dell’Alto Adige
   Genziana trentina/Genziana del Trentino

10. Fruit spirits
    Pacharán
    Pacharán navarro

11. Juniper-flavoured spirits
    Ostfriesischer Korngenever
    Genièvre Flandre Artois
    Hasseltse jenever
    Balegemse jenever
    Péket de Wallonie
    Steinhäger
    Plymouth Gin
    Gin de Mahón

12. Caraway-flavoured spirits
    Dansk Akvavit/Dansk Aquavit
    Svensk Aquavit/Svensk Akvavit/Swedish Aquavit

13. Aniseed-flavoured spirits
    Anis español
    Évora anisada
    Cazalla
    Chinchón
    Ojén
    Rute
    Ouzo

14. Licors
    Berliner Kümmel
    Hamburger Kümmel
    Münchener Kümmel
    Chiemsee Klosterlikör
    Bayerischer Kräuterlikör
    Cassis de Dijon
    Cassis de Beaufort
    Irish Cream
    Palo de Mallorca
    Ginjinha portuguesa
    Licor de Singeverga
Benediktbeurer Klosterlikör
Ettaler Klosterlikör
Ratafia de Champagne
Ratafia catalana

Anis português
Finnish berry/fruit liqueur
Grossglockner Alpenbitter
Mariazzeller Magenlikör
Mariazeller Jagasaftl
Puchheimer Bitter
Puchheimer Schlossgeist
Steinfelder Magenbitter
Wachauer Marillenlikör
Jägertee / Jagertee / Jagatee

15. Spirit drinks

Pommeau de Bretagne
Pommeau du Maine
Pommeau de Normandie
Svensk Punsch/Swedish Punsch

16. Vodka

Svensk Vodka/Swedish Vodka
Suomalainen Vodka/Finsk Vodka/Vodka of Finland
B. List of protected designations for spirit drinks originating in Chile:

Pisco
Aguardiente chileno
Brandy chileno
Whisky chileno
Gin chileno
Vodka chileno
Ron chileno
Guindado chileno
Anís chileno

C. List of protected designations of aromatised drinks originating in the Community:

Nürnberger Glühwein
Thüringer Glühwein
Vermouth de Chambéry
Vermouth di Torino

D. List of protected designations of aromatised drinks originating in Chile:

Vermouth chileno
Appendix II

TRADEMARKS REFERRED TO IN ARTICLE 7(2)

COGNAC JUANICO
COÑA COL
GRAN COÑAC
GRAPPA SAN REMO
Appendix III

PROTOCOL

Pursuant to Article 18(b) of this Agreement, the following shall be considered to be small quantities:

1. Spirit drinks or aromatised drinks in labelled containers of not more than 5 litres fitted with a non reusable closing device where the total quantity transported, whether or not made up of separate consignments, does not exceed 100 litres.

2. (a) quantities of spirit drinks or aromatised drinks not exceeding 30 litres per traveller contained in traveller’s luggage;

(b) quantities of spirit drinks or aromatised drinks not exceeding 30 litres forming part of consignments from one individual to another;

(c) quantities of spirit drinks or aromatised drinks forming part of the household effects of individuals moving house;

(d) which are imported for the purpose of scientific or technical experiments, subject to a maximum of 1 hectolitre;

(e) which are imported for diplomatic, consular or similar establishments as part of their duty-free allowance;

(f) which are held on board international means of transport as virtualising supplies.

The case of exemption referred to in paragraph 1 may not be combined with one or more of the cases of exemption referred to in paragraph 2.