

No. 14596

FRANCE
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

Exchange of letters constituting an agreement concerning the mutual protection of French designations of origin and of the appellation "Scotch Whisky". Paris, 31 July and 11 September 1975

Authentic texts: English and French.

Registered by France on 19 February 1976.

FRANCE
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD

Échange de lettres constituant un accord concernant la protection réciproque d'appellations d'origine françaises et de l'appellation «Scotch Whisky». Paris, 31 juillet et 11 septembre 1975

Textes authentiques : anglais et français.

Enregistré par la France le 19 février 1976.

ÉCHANGE DE LETTRES CONSTITUANT UN ACCORD¹ ENTRE LA FRANCE ET LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD CONCERNANT LA PROTECTION RÉCIPROQUE D'APPELLATIONS D'ORIGINE FRANÇAISES ET DE L'APPELLATION «SCOTCH WHISKY»

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN FRANCE AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND CONCERNING THE MUTUAL PROTECTION OF FRENCH DESIGNATIONS OF ORIGIN AND OF THE APPELLATION "SCOTCH WHISKY"

I

BRITISH EMBASSY
PARIS

31 July 1975

Sir,

The attention of the French Authorities has been drawn many times to the deep concern of Her Majesty's Government that the designation "Scotch Whisky" should be used in France only for whisky produced in the United Kingdom in accordance with the British regulations governing its manufacture.

To support their case, the United Kingdom representatives pointed out that the use of certain French designations of origin, in particular "Cognac", "Armagnac" and "Calvados" was in fact, on the basis of the regulations in force in the United Kingdom, restricted exclusively to the French products entitled to those designations under the provisions of French legislation and regulations.

During the discussions which took place in October 1973 between a British delegation and representatives of the French ministries concerned, it was pointed out that no agreement had been concluded between the United Kingdom of Great Britain and Northern Ireland and the French Republic to ensure the protection of the three French designations mentioned above on British territory, independently of the British regulations.

The French delegation stated that the French Government was prepared to give a favourable reply to the request from the Government of the United Kingdom of Great Britain and Northern Ireland, on condition that the latter undertook to restrict the use of the designations "Cognac", "Armagnac" and "Calvados" exclusively to the French products entitled to those designations under the provisions of French legislation and regulations.

I have the honour to inform Your Excellency that the Government of the United Kingdom of Great Britain and Northern Ireland undertakes to restrict the use of the designations "Cognac", "Armagnac" and "Calvados" in the United Kingdom

¹ Entré en vigueur le 10 novembre 1975, soit 60 jours à compter de la date de la lettre de réponse, conformément aux dispositions desdites lettres.

¹ Came into force on 10 November 1975, i.e., 60 days from the date of the letter in reply, in accordance with the provisions of the said letters.

exclusively to the French products entitled to those designations under the provisions of French legislation and regulations and to prohibit and suppress the use of those designations for any other products, even if those designations are used either with an indication of the true origin, or with the addition of an expression such as “kind”, “type”, “style” or similar terms.

The Government of the United Kingdom of Great Britain and Northern Ireland shall also require, subject to its Community obligations, that all imports of Cognac, Armagnac and Calvados into British territory are accompanied by the official documents issued by the competent French authorities.

This undertaking is conditional upon an undertaking by the Government of the French Republic that it shall restrict the use of the designation “Scotch Whisky” exclusively to the whisky produced on the territory of the United Kingdom in accordance with the British regulations governing its manufacture, and to prohibit and suppress the use of this designation in the labelling or description of any other whisky or blend of whiskies, even if this name is used either with an indication of the true origin, or with the addition of an expression such as “kind”, “type”, “style” or similar terms.

The Government of the French Republic shall also require, subject to its Community obligations, that all imports of Scotch Whisky into French territory are accompanied by certificates issued by the competent authorities in the United Kingdom and certifying its origin and its age.

Each of the two Governments shall endeavour, as far as possible, to ensure that similar obligations are applied to products intended for export as to those intended for consumption on the national territory.

If the foregoing proposals are acceptable to the Government of the French Republic, I have the honour to suggest that this note and the reply from Your Excellency shall constitute an Agreement between our two Governments, which shall enter into force on the expiration of sixty days from the date of your reply and shall remain in force for an unlimited duration, subject to the right of each of the Contracting Parties to terminate it by giving three months' notice to this effect to the other Party.

Lastly, to take account of the wish expressed on the French side, I can assure Your Excellency that the spirit of cooperation which the Government of the French Republic has shown in giving a positive reply to the British request, will encourage the Government of the United Kingdom of Great Britain and Northern Ireland to examine favourably any requests for the protection of other French designations of origin which may be submitted to it in the future.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

[Signed]

E. E. TOMKINS

S. E. Monsieur Jean Sauvagnargues
Ministère des Affaires Etrangères¹
Paris

¹ His Excellency Jean Sauvagnargues
Ministry for Foreign Affairs.

Je note enfin avec satisfaction que l'esprit de coopération dont a témoigné le Gouvernement français en répondant positivement à la demande britannique incitera le Gouvernement de Grande-Bretagne et d'Irlande du Nord à examiner avec bienveillance les demandes de protection d'autres appellations d'origine françaises qui lui seraient éventuellement présentées à l'avenir.

Je saisis cette occasion pour renouveler à Votre Excellence les assurances de ma très haute considération.

[*Signé*]

JEAN SAUVAGNARGUES

Sir Edward Tomkins
Ambassadeur de Grande-Bretagne
Paris

[TRANSLATION¹ — TRADUCTION²]

MINISTER FOR FOREIGN AFFAIRS

11 September 1975

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Sir,

I have the honour to acknowledge receipt of Your Excellency's Note dated 31 July 1975 which reads as follows:

[*See letter I*]

I have the honour to inform you that the foregoing proposals are acceptable to the Government of the French Republic who agree that Your Excellency's Note and this reply shall constitute an agreement between the British and French Governments, which shall enter into force on the expiration of sixty days from the date of this reply.

Lastly I note with satisfaction that the spirit of co-operation which the French Government has shown in giving a positive reply to the British request will encourage the Government of Great Britain and Northern Ireland to examine favourably any requests for the protection of other French designations of origin which may be submitted to it in the future.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

[*Signed*]

J. SAUVAGNARGUES

Sir Edward Tomkins
Ambassador of Great Britain
Paris

¹ Translation supplied by the Government of the United Kingdom.

² Traduction fournie par le Gouvernement du Royaume-Uni.