

Certificates of Age and Origin for Distilled Spirits Produced or Packaged in Canada Order

SI/2009-61

DEPARTMENT OF AGRICULTURE AND AGRI-FOOD ACT

Registration 2009-07-08

Certificates of Age and Origin for Distilled Spirits Produced or Packaged in Canada Order

Whereas, pursuant to section 4^a of the *Department of Agriculture and Agri-Food Act*^b, the powers, duties and functions of the Minister of Agriculture and Agri-Food extend to and include all matters over which Parliament has jurisdiction, not by law assigned to any other department, board or agency of the Government of Canada, relating to, among other things, agriculture and products derived from agriculture;

^aS.C. 1994, c. 38, s. 5

^bR.S., c. A-9; S.C. 1994, c. 38, s. 2

Whereas distilled spirits are produced from botanical substances or products derived from them and, as such, constitute products derived from agriculture;

And whereas certain of Canada's trading partners require as a condition to the importation of distilled spirits from Canada that the distilled spirits be accompanied by a certificate issued by a duly authorized official of the Government of Canada attesting to the age and origin of the distilled spirits;

Therefore, the Minister of Agriculture and Agri-Food, pursuant to section 4^a of the *Department of Agriculture and Agri-Food Act*^b, hereby authorizes inspectors designated pursuant to section 5.01^c of that Act to issue certificates in accordance with the terms and conditions set out in the annexed schedule attesting to the age and origin of distilled spirits that are produced or packaged in Canada in accordance with the requirements of Division 2 of the *Food and Drug Regulations*^d.

^cS.C. 1994, c. 38, s. 6

^dC.R.C., c. 870

Ottawa, June 18, 2009

GERRY RITZ
Minister of Agriculture and Agri-Food

SCHEDULE

TERMS AND CONDITIONS FOR THE ISSUANCE OF CERTIFICATES OF AGE AND ORIGIN FOR DISTILLED SPIRITS PRODUCED OR PACKAGED IN CANADA

1. (1) No certificate attesting to the age and origin of distilled spirits ("spirits") that are produced or packaged in Canada ("Certificate of Age and Origin") shall be issued by an inspector designated by the Minister of Agriculture and Agri-Food ("Inspector") unless

(a) the information set out in the certificate can be verified from the records of the producer or packager; and

(b) all casks, barrels and drums that are used by a producer or packager for the storage or delivery of spirits are clearly and legibly marked with the month and year of original warehousing.

(2) An Inspector shall not accept a certificate attesting to the age of any spirits brought into the facilities of a producer or packager unless the certificate has been endorsed by a government official of the country of origin of the spirits.

2. If whisky that is to be exported is a blend containing more than 9.090 per cent imported spirits, a Certificate of Age and Origin shall

(a) specify the percentage of domestic and imported spirits contained in the whisky; and

(b) not refer to the whisky as Rye Whisky, Canadian Whisky or Canadian Rye Whisky.

3. (1) Subject to subsection (2), for the purpose of issuing a Certificate of Age and Origin in respect of spirits flavoured by blending into the spirits additional domestic or imported spirits or wine, the resultant product of the blended spirits is deemed to have been warehoused for a period equal to the period of warehousing of the most recently warehoused spirits contained in the resultant product.

(2) If the absolute ethyl alcohol content of the spirits or wine that are added as flavouring does not exceed 9.090 per cent of the total quantity of absolute ethyl alcohol contained in the resultant product of the blended spirits, that resultant product is deemed to have been warehoused for a period equal to the period of warehousing of the spirits to which were added the spirits or wine for blending purposes.

4. A Certificate of Age and Origin shall only be issued for Canadian brandy blended by the addition of domestic or imported brandies if at least 75 per cent of the absolute ethyl alcohol content of the resultant product is derived from Canadian brandy.

5. A Certificate of Age and Origin shall not be issued in respect of spirits bottled for export that bear a label containing any reference to Canada, including the word "Canadian" in the trade name, to designate the type of spirits unless at least 75 per cent of the absolute ethyl alcohol content of those bottled spirits is derived from domestic spirits.