



GOBIERNO DE CHILE
SERVICIO AGRICOLA Y GANADERO
SAG

GOVERNMENT OF CHILE
AGRICULTURE AND LIVESTOCK SERVICE
SAG DIVISION OF AGRICULTURAL PROTECTION
Subdepartment of VINE and WINE

DECREE No. 521

APPELLATION OF ORIGIN

PISCO

OFFICIAL GAZETTE OF THE REPUBLIC OF CHILE
Saturday, May 27, 2000

FIXING THE REGULATIONS FOR THE APPELLATION OF ORIGIN PISCO

Santiago, December 30, 1999.- The following is hereby decreed:

No. 521.- Seen: the provisions in Decree with force of law No. 294, 1960; Organic Law, of the Ministry of Agriculture; Law No. 18,455; Decree No. 16, of 1995, of the Ministry of Foreign Relations enacting the "Marrakesh Agreement", in particular the Agreement on Trade-Related Aspects of Intellectual Property Rights; Supreme Decree No. 78, of 1986, of the Ministry of Agriculture, and the provisions contained in Article 32.8 of the Political Constitution of the Republic.

Decree:

The following Regulations for the appellation of origin "Pisco" are hereby fixed.

Article 1.- These Regulations shall regulate the use of the appellation of origin "Pisco" and the terms, characteristics and arrangements that must be satisfied in respect of the raw material to be used and the preparation and packaging of this product.

Article 2.- For the purposes of these Regulations, the following definitions shall apply:

- (a) The Law: Law 18,455;
- (b) "Pisco": the liquor produced and packaged in consumption units in Regions III and IV of the country, prepared by distilling genuine drinking wine, from the varieties determined in these Regulations, planted in the said regions;
- (c) "Pisco" appellation of origin: the appellation of origin reserved by law to designate only pisco in recognition of its special characteristics derived essentially from traditional natural and human factors, specific to and inherent in its geographical origin;
- (d) Pisco-producing area: all of the regions of Atacama and Coquimbo;
- (e) Pisco grower: the producer of pisco grapes;
- (f) Pisco winemaker: the person who turns the pisco grapes into wine;
- (g) Pisco distiller: the producer of the liquor obtained from wine prepared with pisco grapes;
- (h) Pisco bottler: the person who divides up and prepares pisco liquor in consumption units;

- i) Regulations under the Law: Supreme Decree No. 78, of 1986, of the Ministry of Agriculture.

The activities mentioned under (e), (f), (g) and (h) shall be undertaken in the pisco-producing zone.

Article 3.- The protection afforded by the “pisco” appellation of origin shall include the right to the exclusive use of this appellation to identify, distinguish and recognize the said product, subject to full compliance with the legal and regulatory provisions established in this respect.

Pursuant to the Marrakesh Agreement and Article 10 of the Paris Convention (1967), such protection shall also include the right for the persons concerned to:

- (a) oppose, in accordance with the provisions of Law No. 19,039, the use of any name of a city, town, locality or village in the regions of Atacama and Coquimbo, as a trademark or part thereof, as an advertising slogan or as an integral part of a label corresponding to Class 33 of the Trademark Classifier, to distinguish any distilled alcoholic beverage derived from grapes that is not pisco;
- (b) prevent the use of other geographical indications that identify distilled alcoholic beverages derived from grapes or any of the distinctive signs of pisco in such beverages, that may lead the public to confuse them with the “pisco” appellation of origin, including where the genuine origin of the product is indicated or where the geographical indication is used, translated or accompanied by such expressions as “class”, “type”, “style” or “imitation”;
- (c) denounce, to the competent authority, as an act of unfair competition, indications or assertions whose use may mislead the public as to the nature, method of preparation, characteristics or suitability for use of the pisco.

Article 4.- All pisco growers, winemakers, distillers and bottlers shall register in the respective register kept for this purpose by the Agriculture and Livestock Service.

Article 5.- Only alcohol from wine from the following varieties of the species *Vitis vinifera* L., planted in the pisco-growing zone, hereinafter referred to as “pisco grapes”, may be used in the preparation of pisco:

- Muscat of Alexandria or Italian grape
- Pink or Pastilla Muscat
- Torontel
- Austrian Muscat
- Pedro Jiménez
- White or Early Muscat
- Real Chasselas Muscat
- Yellow Muscat
- Muscat Canelli
- Muscat Frontignan
- Muscat Hamburg
- Black Muscat
- Orange Muscat

The first five listed are recognized as main varieties, whereas the eight others are secondary varieties.

In any application, statement or registration in the register or registers kept by the Agriculture and Livestock Service for this purpose, concerning the planting, replanting or grafting of pisco grapes, the main and secondary varieties to be used shall be indicated.

Article 6.- Nurseries of pisco grapes shall be declared to the Agriculture and Livestock Service and must meet the standards set out in paragraph 2 of Title II of Decree-Law No. 3,557, of 1981.

Article 7.- Pisco distilleries may process pisco grapes for any purpose.

Pisco may not be prepared using grapes with a probable alcohol content of less than 10.5°.

Article 8.- Winemaking for the purpose of producing pisco shall be done with white wine at controlled temperatures, ruling out the use of equipment for grinding and removing the stalks from bunches of grapes and high speed spinning that cause excessive break-up of unwanted elements in the musts, such as seeds and skins.

The use of continuous fresh residue presses that operate at high temperatures shall also be prohibited.

The barrels used in the preparation of pisco must meet all the health requirements for guaranteeing the preparation of a product suitable for human consumption.

Article 9.- The process of distilling wine to produce alcohol for pisco shall be carried out in discontinuous stills.

The distilled product of the said process may not have an alcohol content of more than 73 degrees Gay-Lussac.

Article 10.- Pisco spirits shall have a volatile acidity of no more than 1.5 grams per liter and a minimum of impurities of three grams per liter at 100 degrees Gay-Lussac at 20° temperature, and its sugar content may not exceed five grams per liter. Its minimum alcohol content shall be those indicated below:

- (a) Traditional: 30°
- (b) Special: 35°

(c) Reserve: 40°

(d) Great: 43°

Article 11.- The distillation of wines from each season shall begin as soon as they are in suitable condition, and may not be carried out after October 30 of the year of the respective winegrowing season.

Article 12.- Immediately following distillation, alcohol used for the preparation of pisco shall be left to sit for at least 60 days.

The benchmark "*guarda*" may only be used for the identification, presentation and promotion of pisco whose alcohol has been aged in oak barrels for at least 180 days.

The benchmark "*envejecido*" [aged] may only be used for the identification, presentation and promotion of pisco whose alcohol has been aged in oak barrels for at least 360 days.

Pisco distilleries shall keep an updated Book in which they record information concerning the state of each of the alcohols, in respect of the raw materials covered by this Article.

Article 13.- Pisco shall be packaged in sealed consumption units that do not degrade the product and may not be deformed.

Article 14.- The conditions for packaging pisco and its alcohol contents shall be those stipulated in the Regulations under the Law on Alcohols.

Article 15.- Organizations of pisco growers may propose specific regulations governing the arrangements for growing, harvesting and transporting pisco grapes, depending on the different agroclimatic zones existing in Regions III and IV of the country.

Article 16.- Any other materials not expressly covered by these Regulations shall be governed by the provisions of Supreme Decree No. 78, of 1986, of the Ministry of Agriculture.

Article 17.- All industrial facilities intended for the preparation of pisco shall comply with existing legislation in force in respect of the final disposal of its liquid and solid waste.

Article 18.- The Agriculture and Livestock Service shall be responsible for enforcing, monitoring and punishing infringements of the provisions contained in these Regulations.

The Agriculture and Livestock Service may enter into agreements with legal entities or trade associations bringing together pisco producers, on any other subjects deemed necessary for the dissemination, promotion, improvement, development and protection of the Appellation of Origin of Chilean Pisco.

Article 19.- Supreme Decree No. 78, of 1986, of the Ministry of Agriculture, is hereby amended as follows:

- (a) The expression "3.5 grams per liter" in the second subparagraph of Article 58 is replaced by "3 grams per liter";
- (b) Articles 13 and 56 are repealed.

TRANSITIONAL PROVISIONS

Article 1.- A period of five years, beginning from the date of the entry into force of these Regulations, is hereby set to allow pisco winemakers, distillers and bottlers to adjust their processes to comply with the requirements stipulated in these Regulations.

Article 2.- A period of 12 months, beginning from the date of the entry into force of these Regulations, is hereby set to allow pisco producers who are not registered in the respective register of the Agriculture and Livestock Service to register therein.

To be noted, notified and published.- EDUARDO FREI RUIZ-TAGLE, President of the Republic.- Angel Sartori Arellano, Minister of Agriculture.

I am sending you this for your attention.- Best regards., Arturo Barrera Miranda, Deputy Secretary of Agriculture.