



Notification No. 4 of the National Tax Administration

Considering that the standard for indications in relation to geographical indications has been determined as follows in accordance with paragraph 1 of Article 86-6 of the Law concerning Liquor Business Associations and Measures for Securing Revenue from Liquor Tax (Law No. 7 of 1953, hereafter referred to as “the Law”) and that the standard will entry into force on July 1, 1995, notification is hereby issued in accordance with paragraph 2 of Article 86-6 of the Law.

December 28, 1994

Nobuyuki Teramura
Commissioner of the National Tax Administration
Standard for Indications in Relation to Geographical Indications

(Definition)

1. The terms as listed in the following subparagraphs shall have the meanings as defined in each subparagraph:

- (1) “Geographical indications” mean indications which identify a liquor listed in the following subparagraph (2) or subparagraph (3) as originating in the territory of a Member of the World Trade Organization, or a region or locality in that territory, where a given quality, reputation or other characteristic of the liquor is essentially attributable to its geographical origin;
- (2) “Wines” mean liquors which fall under fruit wines as stipulated in subparagraph (8) of Article 3 of the Liquor Tax Act (Law No. 6 of 1953) and use grapes as raw material;
- (3) “Spirits” mean shochu, whiskey, brandy, and spirits among spirituous liquors as stipulated in subparagraphs (5), (9), and (10) of Article 3 of the Liquor Tax Act;
- (4) “Use” means the following acts by liquor manufacturers or liquor sellers:
 - (i) Acts of attaching geographical indications on the containers or packages of liquors;
 - (ii) Acts of assignment, delivery, exhibition for assignment or delivery or importing of containers or packages of liquors on which geographical indications are attached;
 - (iii) Acts of exhibition or distribution of advertisements, quotation lists or trading documents for liquors on which geographical indications are attached.

(Protection of Geographical Indications)

2. A geographical indication that indicates the place of origin designated by the commissioner of the National Tax Administration among places of origin of wines or spirits made in Japan, or a geographical indication that indicates the place of origin of wines or spirits made in a Member of the World Trade Organization and use of which, with respect to wines or spirits originating in a region other than the place of origin, is prohibited in that Member, shall not be used with respect to wines and spirits originating in a region other than the place of origin.

The above stipulations shall be applied even where the true origin of the wines or spirits is indicated or the geographical indication is used in translation or accompanied by expressions such as “kind”, “type”, “style”, “imitation” or the like.

(Exceptions)

3. The preceding paragraph does not apply to the following cases:

- (1) In cases where a particular geographical indication of a Member of the World Trade Organization identifying wines or spirits have been used in the territory of that Member either for at least ten years preceding April 15, 1994 or in good faith preceding that date;



(2) In cases where a geographical indication is not or cease to be protected in its country of origin, or has fallen into disuse in that country.