

## 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 Αττικής/Brandy of Attica  
 Brandy Πελοποννήσου/Brandy of the Peloponnese  
 Brandy Κεντρικής Ελλάδας/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  
 Bagaceiro 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  
 Τσικουδιά Κρήτης/Tsikoudia of Crete  
 Τσίπουρο Μακεδονίας/Tsipouro of Macedonia  
 Τσίπουρο Θεσσαλίας/Tsipouro of Thessaly  
 Τσίπουρο Τυρνάβου/Tsipouro of Tyrnavos  
 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. Gential 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  
Chiemseer 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 virtual 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.