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## ***Distilled Spirits Aotearoa – Frequently Asked Questions*** **New Zealand Spirit Definitions – as at March 2021**

### **Background**

Currently the legal definition for New Zealand spirits is covered under:

[Australia New Zealand Food Standards Code Standard 2.7.5](#) (05 Dec 2019):

“Spirit means an alcoholic beverage consisting of a potable alcoholic distillate, including whisky, brandy, rum, gin, vodka and tequila, **produced by distillation of fermented liquor** derived from food sources, **so as to have the taste, aroma and other characteristics generally attributable to that particular spirit.**

... In the case of tequila 35% alcohol by volume; or otherwise 37% alcohol by volume.”

[Geographical Indications \(Wine and Spirits\) Registration Act 2006](#) (Reprint as at 7 August 2020)

" spirit means a potable alcoholic distillate, including whisky, brandy, rum, gin, and vodka, produced by distillation of fermented liquor derived from food sources, so as to have the taste, aroma, and other characteristics generally attributable to that particular spirit "...

[Fair Trading Act](#) – (*it is what it says it is*). Product claims and advertising claims must not be misleading or deceptive:

“Misleading conduct in relation to goods: No person shall, in trade, engage in conduct that is liable to mislead the public as to the nature, manufacturing process, characteristics, suitability for a purpose, or quantity of goods.”

### **Definitions for Base Spirits**

#### **1. New Zealand Whisky:**

In 2020/21, a DSA working group developed, by consensus, the definition for The NZ Single Malt and NZ Whisky. This was adopted by the DSA as a standard for producers of NZ Whisky on Feb 18<sup>th</sup> 2021.

It is defined as:

A spirit obtained from a mash of cereal grain or cereal grain products, then aged in wood barrels (see [New-Zealand-Whisky-Guidelines-and-Definitions-February-18-2021.pdf](#) ([distilledspiritsaotearoa.org.nz](#)))

DSA will work through the definitions for other NZ spirits using the same process as for NZ Whisky, consulting with the DSA community. In the meantime, the following definitions are in use in other countries and commonly recognised in NZ:

#### **2. Rum** is defined as:

A spirit made by fermenting then distilling juice of sugar cane, sugar cane syrup, sugar cane molasses, or other sugar cane by-products. Some jurisdictions require rum to be aged in wood.

#### **3. Brandy** is defined as:

A spirit obtained from the distillation of wine, or fermented preparations of grapes or grape product, then aged in wood barrels.

#### **4. Gin** is defined as:

A spirit obtained by the redistillation of alcohol from food sources with or over juniper berries, and may contain other aromatic botanical substances, sweeteners or flavours. Aged gin must have been held in suitable containers for the time on the label declaration (if declared).



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### 5. **Vodka** is defined as:

A spirit obtained by the repeated distillation of neutral spirits, treated after distillation with charcoal or other materials so as to be without distinctive character, aroma, taste, or colour.

Other spirits may be added to this list in future.

### Notes

1. The DSA interprets the wording “**produced by distillation of fermented liquor** derived from food sources, **so as to have the taste, aroma and other characteristics generally attributable to that particular spirit**” to mean that the simple addition of flavouring substances to ethanol would not meet the definitions of Spirits in either the Australia New Zealand Food Standards Code or the Geographical Indications (Wine and Spirits) Registration Act 2006.
2. Spirits labelled as such must contain the minimum alcohol levels stipulated by the legislation.

### References:

#### **Australian Distillers Association Guidance:**

<http://australiandistillers.org.au/wp-content/uploads/2017/02/ADA-Guidance-Summary.pdf>

#### **Spirits NZ Spirits Definition:**

[About Spirits | Spirits NZ](#)

#### **US Spirit Definition**

[TTB Webinar: Domestic Distilled Spirits Formulas](#) Dec 2017

#### **Canadian Regulations:**

[Food and Drug Regulations \(justice.gc.ca\)](http://justice.gc.ca)