



FOOD AND DRUGS ACT 1963  
MANX WHISKEY REGULATIONS 1995

*Coming into operation in accordance with regulation 1(1)*

*Approved by Tynwald on : 22nd February 1995*

In exercise of the powers conferred on the Department of Local Government and the Environment by sections 4 and 69 of the Food and Drugs Act 1963(a), and of all other powers enabling it in that behalf, after consulting such organisations as appear to it to be representative of interests substantially affected by the Regulations, the following Regulations are hereby made :-

Citation, commencement and interpretation

1. (1) These Regulations may be cited as the Manx Whiskey Regulations 1995 and shall come into operation on the day on which they are approved by Tynwald.

(2) In these Regulations, "whiskey" means a spirit drink produced by the distillation of a mash of cereals -

- (a) saccharified by the distase of the malt contained therein, with or without other natural enzymes; and
- (b) fermented by the action of yeast; and
- (c) distilled at less than 94.8% volume, so that the distillate has an aroma and taste derived from the raw materials used; and
- (d) matured for at least 3 years in wooden casks not

exceeding 700 litres capacity.

### Manx Whiskey

2. (1) Manx whiskey is whiskey -

- (a) which acquires its character and definitive qualities during a production stage which takes place in the Island; and
- (b) to which no substance other than water has been added; and
- (c) which has an alcoholic strength of not less than 40 % by volume.

(2) For the avoidance of doubt, rectification is a production stage for the purposes of paragraph (1)(a).

### Offences

3. (1) No person shall offer, expose or advertise for sale or sell or have in his possession for sale any substance which is described or held out as Manx Whiskey unless it complies with regulation 2.

(2) No person shall -

- (a) give with any substance sold by him; or
- (b) display with any substance offered or exposed by him for sale,

any label, whether attached to, printed or otherwise impressed on a bottle or container, or otherwise, or any ticket, or publish or be a party to the publication of any advertisement for any substance, which bears or includes any description or

implication (whether as part of the name of the product or otherwise) that the substance is Manx Whiskey unless the substance complies with regulation 2.

(3) No person shall sell any substance under such description as to lead an intending purchaser to believe that he is purchasing Manx Whiskey if the substance does not comply with regulation 2.

#### Penalties

4. If any person contravenes or fails to comply with any of the provisions of regulation 3 he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2,500.

#### Application of Act

5. (1) Sections 55(2) and (3), 57(1) and (2), 59, 60, 62(2) and 63 of the Food and Drugs Act 1963 shall apply for the purposes of these Regulations as if references therein to proceedings, or a prosecution, under or taken or brought under the Act included references to proceedings, or a prosecution as the case may be, taken or brought for an offence under these Regulations and as if the reference in section 59 to section 55(3) included a reference to that subsection as applied by these Regulations.

(2) Paragraph (b) of the proviso to section 55(1) of that Act shall apply for the purposes of these Regulations as if the reference therein to section 63 of the Act included a reference to that section as applied by these Regulations.

Made

31. Jan.

1995

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Minister for the Department  
of Local Government and the Environment

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations provide a definition of "Manx Whiskey". It will be an offence to sell etc. any substance as Manx Whiskey which does not comply with the definition.