
STATUTORY INSTRUMENTS

2009 No. 2890

The Scotch Whisky Regulations 2009

Locality and region geographical indications

10.—(1) A whisky or whisky-based drink must not be labelled, packaged, advertised or promoted in a way that includes the name of a protected locality or a protected region unless—

- (a) in the case of whisky, the whisky is Scotch Whisky that has been distilled in that locality or region; or
- (b) in the case of a whisky-based drink, the only whisky in the drink is Scotch Whisky that has been distilled in that locality or region.

(2) But paragraph (1) does not apply in the circumstances specified in Schedule 3.

(3) A whisky or whisky-based drink must not be labelled, packaged, advertised or promoted in a way that includes any reference to a name that is similar to the name of a protected locality or protected region if, having regard to the presentation of the product as a whole, the reference may create a likelihood of confusion on the part of the public as to where the whisky or whisky-based drink was distilled.

(4) A person must not label, package, advertise or promote any whisky or whisky-based drink in a way that contravenes paragraph (1) or (3), or sell any whisky or whisky-based drink that has been labelled or packaged in that way.

(5) The protected localities are—

- (a) “Campbeltown”, comprising the South Kintyre ward of the Argyll and Bute Council as that ward is constituted in the Argyll and Bute (Electoral Arrangements) Order 2006(1); and
- (b) “Islay”, comprising the Isle of Islay in Argyll.

(6) The protected regions are—

- (a) “Highland”, comprising that part of Scotland that is north of the line dividing the Highland region from the Lowland region;
- (b) “Lowland”, comprising that part of Scotland that is south of the line dividing the Highland region from the Lowland region; and
- (c) “Speyside”, comprising—

- (i) the wards of Buckie, Elgin City North, Elgin City South, Fochabers Lhanbryde, Forres, Heldon and Laich, Keith and Cullen and Speyside Glenlivet of the Moray Council as those wards are constituted in the Moray (Electoral Arrangements) Order 2006(2); and
- (ii) the Badenoch and Strathspey ward of the Highland Council as that ward is constituted in the Highland (Electoral Arrangements) Order 2006(3).

(7) In this regulation “the line dividing the Highland region from the Lowland region” means the line beginning at the North Channel and running along the southern foreshore of the Firth of Clyde

(1) S.S.I. 2006/378.
(2) S.S.I. 2006/372.
(3) S.S.I. 2006/481.

to Greenock, and from there to Cardross Station, then eastwards in a straight line to the summit of Earl's Seat in the Campsie Fells, and then eastwards in a straight line to the Wallace Monument, and from there eastwards along the line of the B998 and A91 roads until the A91 meets the M90 road at Milnathort, and then along the M90 northwards until the Bridge of Earn, and then along the River Earn until its confluence with the River Tay, and then along the southern foreshore of that river and the Firth of Tay until it comes to the North Sea.