



Scotch Whisky Act 1988

1988 CHAPTER 22

1 Prohibition of production in Scotland of whisky other than Scotch whisky

- (1) It shall be unlawful—
- (a) to produce in Scotland; or
 - (b) to keep in Scotland for the purpose of maturation; or
 - (c) to keep or use in Scotland for the purpose of blending,
- a distillate of spirits produced as described in the definition of whisky contained in section 3(1) of this Act unless it is or, as the case may be, has been produced as described in any definition of Scotch whisky contained in an order under that section.
- (2) If the court is satisfied, on the application of—
- (a) any person carrying on the business of producing Scotch whisky; or
 - (b) any person or body appearing to the court to be representative of any group of such persons,
- that any person has contravened or is contravening the provisions of subsection (1) above, the court may grant an interdict prohibiting such contravention.
- (3) Where there is or has been any contravention of subsection (1) above, the spirits in question shall be liable to forfeiture.
- (4) Sections 139, 141, 161, and 163 of, and Schedule 3 to, the Customs and Excise Management Act 1979 (which relate, among other things, to spirits liable to forfeiture) shall apply as if any reference to forfeiture under the customs and excise Acts included a reference to forfeiture under this Act.