

From: Philip Scatchard [admin@ifsp.co.uk]
Sent: 03 August 2007 12:49
To: Licensing Consultations
Subject: Reference the Licensing (Scotland) Act 2005

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Dear Mr Cox

The International Federation of Spirits Producers UK is a Trade Association which works with Trading Standards and Environmental Health Authorities to help combat counterfeit spirit brands, illicit spirits and the refilling of branded spirit bottles with cheaper alternatives for re sale in the on-licensed trade. Our members are; Diageo, Edrington, Bacardi Brown Forman Brands, Jim Beam Global and Pernod Ricard.

We were actively involved in the inclusion of references to alcohol adulteration in "relevant offences" in the Licensing Act 2003 for England and Wales and welcome the current opportunity to comment on the draft Regulations setting out proposed 'relevant offences' in the Licensing (Scotland) Act 2005.

The re-filling of bottles of genuine branded spirit drinks with cheaper, inferior and sometimes illicit spirits "rips off" consumers, brand owners and the Government and exposes innocent consumers to potentially dangerous alcohol.

The Association therefore welcomes the inclusion of the following offences as 'relevant offences' under the draft Regulations.

- Trade Descriptions Act 1968 (s1)
- Food Safety Act 1990 (s14 and 15)
- Trade Marks Act 1994 (s92(1) and (2))

We believe inclusion of the above as relevant offences, in the subordinate legislation, will be of considerable additional benefit to the Consumer Protection Enforcement Officers in Scotland to help enforce this criminal activity.

We therefore support the consultation's suggestion that the offences should be considered 'relevant' after a single conviction, which will have a strong deterrent effect on licence holders.

In addition, and for the same reasons, the Association is supportive of the proposal that the offences of aiding, abetting, counselling, procuring and inciting any of the listed offences should also be considered relevant offences.

In conclusion, the IFSP UK and its member companies welcome the Regulations as drafted and look forward to their implementation from 1 February 2008.

Philip Scatchard

PS a hard copy of this letter is in the post.

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Philip Scatchard
Director, IFSP UK

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