**spiritsEUROPE to appeal Scottish Court Decision on Minimum Unit Pricing**

This morning, Lord Doherty has refused the petition by the Scotch Whisky Association, spiritsEUROPE and CEEV, holding that the Alcohol (Minimum Pricing) (Scotland) Act was not outside the legislative competence of the Scottish Parliament; and that the proposed Order setting a minimum price per unit of alcohol was within devolved competence and within the powers of Scottish Ministers.

Reacting to this decision, Paul Skehan, Director General of spiritsEUROPE, said:

“We are disappointed by this decision and will appeal it, believing that it contravenes not only 30 years of European case law on minimum unit pricing (MUP) but also the views expressed by the European Commission and 11 Member States. We are confident that, on appeal, the measure will be proven to be illegal and counter to the rules underpinning the single European market.

“We are surprised that the Court decided it was unnecessary to refer any question of EU law to the Court of Justice for a preliminary ruling, considering the existing legal background.

“Not only do we believe the policy to be illegal, we also firmly believe that MUP would:

* Be ineffective in tackling alcohol misuse – it will not reduce the number of people drinking at hazardous and harmful levels;
* Penalise responsible drinkers and put more pressure on household budgets;
* Discriminate between companies in the market,
* Set a potentially dangerous precedent for third countries to try to block European products from entering their markets, resulting in a very negative impact on the European drinks industry, the single largest agro-food export of the EU (€10 billion exports in 2012).”

ENDS

**Notes to Editors**

* **spiritsEUROPE** is the representative body for the spirits industry at European level comprising 30 associations and 8 multinationals. ([Read more)](http://spirits.eu/page.php?id=98&parent_id=7)
* Summary of the Court Decision published today at 11.30 (full decision to be published at 13.00): [http://scotland-judiciary.org.uk/9/1040/petition-for-judicial-review-by-scotch-whisky-association-and-others](http://scotland-judiciary.org.uk/9/1040/PETITION-FOR-JUDICIAL-REVIEW-BY-SCOTCH-WHISKY-ASSOCIATION-And-OTHERS) **PR–006-2013**