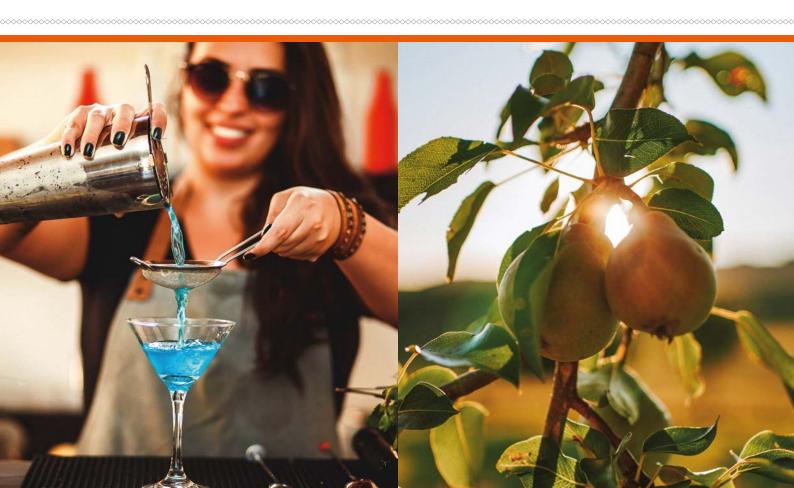
# TRADE REVIEW 2022

# A SPIRIT OF RECOVERY





#### **FOREWORD**



JANUSZ WOJCIECHOWSKI **European Commissioner for Agriculture** 

The global reputation of our European food & drink products is second to none – and amongst them, our diverse spirits production. With 240 registered spirits geographical indications in the EU, from Polish Vodka to Cognac, Brandy de Jerez, Grappa or Irish Whiskey, to name but a few, EU spirits are the embodiment of rich European traditions, deeply rooted in rural communities. Innovation, a willingness to adapt to new consumer trends and a long-standing commitment to sustainability have all kept this traditional sector dynamic & relevant, both at home and abroad. Often viewed as iconic products and status symbols, EU spirits are in high demand in many regions of the world, representing a success story for our rich heritage and our robust production and quality standards.

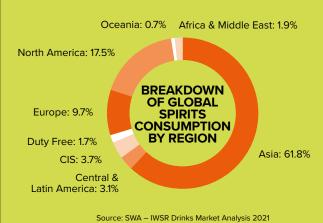
With 85% of global growth expected to come from outside of the EU in the next decade, continuing to promote and open up new opportunities for

EU spirits worldwide will become more critical than ever. Building on their past successes and at a time when trade diversification is essential, EU spirits have the potential to grow further and reach new consumers, both in traditional and emerging markets. The EU can help the sector grow and increase its resilience through exports diversification, by reducing high tariff barriers and removing market access obstacles in third countries – from peak tariffs, to discriminatory measures and unjustified and costly requirements, by protecting geographical indications against imitations in overseas markets and by helping spread the word about the quality and diversity of EU products. With smart promotion and the right support in terms of market access & trade efforts, EU spirits sales will continue to play a leading role in the creation of growth and jobs and added value here in Europe – not least in rural areas.

#### **EXTERNAL TRADE: A POWERHOUSE FOR THE SPIRITS SECTOR**

International trade remains critical for European spirits: around 2/3 of EU spirits exports in value were destined for third countries in 2021. Many of these were protected by Geographical Indications (GIs). EU spirits exports still have substantial growth potential. By removing trade barriers & promoting the high quality of our products abroad, we will be able to seize new market opportunities worldwide.





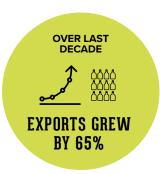
#### TRADE, AN ENGINE FOR RECOVERY

2021 has offered a marked improvement for our exports compared with 2020, thanks to progressive relaxations of COVID-related restrictions in the hospitality & tourism sectors and a gradual economic recovery. The suspension of tariffs imposed on spirits as part of unrelated EU-US trade disputes has also greatly helped. 2022 will likely be a more challenging year, with the combined effects of supply chain disruptions, raw materials & energy price increases – made worse by the war in Ukraine, growing inflation and sluggish growth forecast in many regions of the world.

### **EU SPIRITS IN 2021: ON THE PATH TOWARDS RECOVERY**









### A FRAGILE RECOVERY

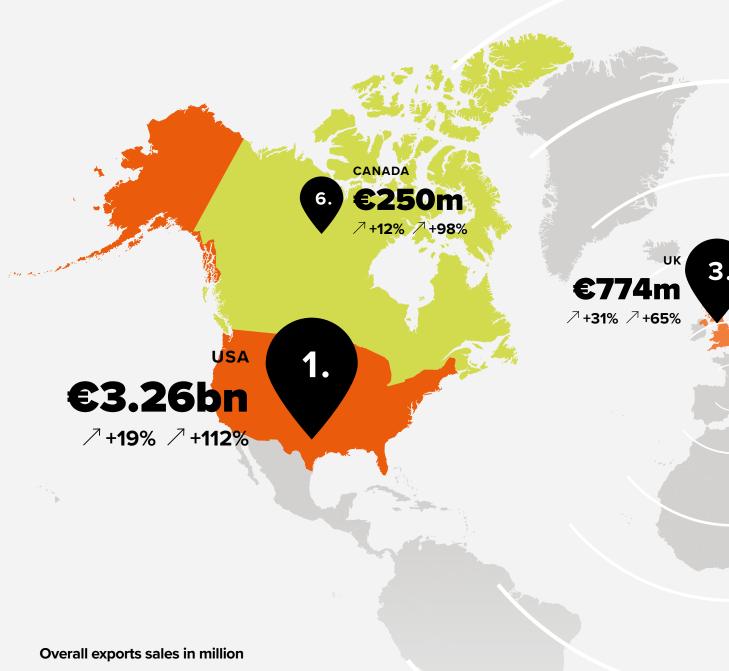


2021 marked the beginning of a recovery for EU spirits exports, as the situation with COVID-19 gradually improved across the world. The removal of US tariffs on EU spirits, as well as greater demand in Asia – boosted by an exceptional performance in China – have also supported this recovery. While the progressive re-opening of tourism and the hospitality sector across the world will help in 2022, there are dark clouds on the horizon. Rising inflation & production costs, supply chain disruptions and the effects of the war in Ukraine are likely to have a negative impact on consumer demand, not just in Europe but in many key markets for EU spirits. The role of trade policy in supporting the economic recovery and trade diversification has never been more important in this context. We count on EU leaders to accelerate the bi-lateral trade agenda, increase efforts towards the removal of market access barriers and continue supporting our quality products across the world through promotion activities.

#### **MANU GIRÓ**

President of spiritsEUROPE and CEO of MG Destilerías (Spain)

#### **TOP TEN EXPORT MARKETS 2021**





7 1 YR TREND 7 10 YR TREND (2020-2021) 7 (2011-2021)

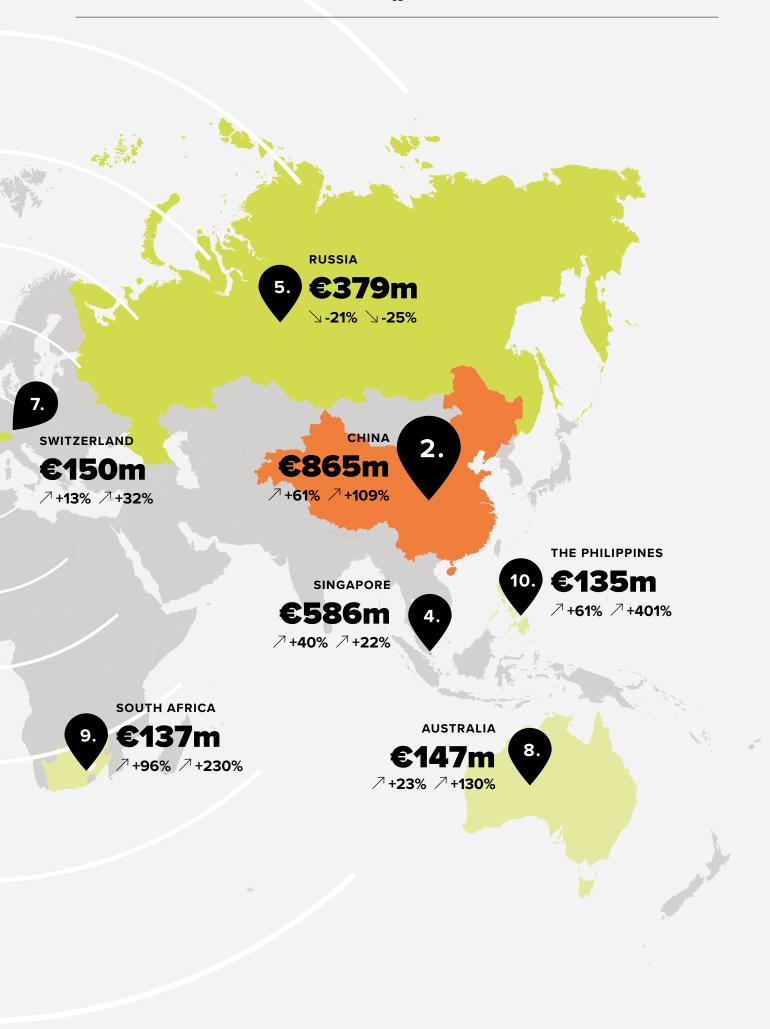
Source: Eurostat 2021



"Over five generations, we have developed a range of 60 liqueurs, all produced exclusively in France, the most famous of which is "Menthe-Pastille". The Giffard company records an average annual growth of 10% and a turnover of €36 Million, 66% of which is exported. Our liqueurs are now distributed in over 50 countries outside of the EU. We need an ambitious trade policy to support us in our future growth & expansion strategy and to open up new opportunities for us by removing tariffs and regulatory obstacles abroad, especially in Asia where we see significant potential."

#### **EDITH GIFFARD**

Co-CEO – Giffard - family Distillery since 1885 (FR)



#### TACKLING GLOBAL CHALLENGES TO SUPPORT FAIR & SUSTAINABLE TRADE

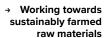
Trade in spirits can be a powerful engine for sustainable development, through job and growth creation in export markets, not least in developing countries, and by allowing EU companies to export best practices and support development and the establishment of a fairer and more responsible economy abroad. As a responsible and environmentally-conscious sector, we stand ready to continue and lead efforts to increase sustainable development around the world, in line with Sustainable Development Goals.

EU SPIRITS STRIVE FOR SUSTAINABILITY FROM FARM TO GLASS, AND EXPORT THESE GOOD PRACTICES WITH THEIR PRODUCTS ALL OVER THE WORLD.



#Farm2Glass publication

# SPIRITS: SUSTAINABLE & SUSTAINED BY NATURE



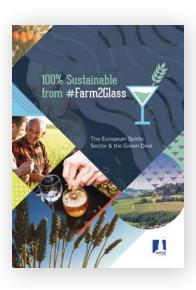


→ Reduction of overall water consumption & preservation programmes across Europe



→ Decrease overall energy consumption & switch to renewable energy sources







→ Actively support the decarbonisation of the transport sector



→ Over 90% of spirits are sold in glass bottles, a safe & sustainable choice



→ Casks sourced from responsibly-managed forests



→ Re-use by-products of distillation to feed animal farm

# SUSTAINABLE FREIGHT AT HENNESSY



The decarbonization of transport is a priority at Hennessy, as the Charente-based Cognac Maison exports 99% of its production outside France, mainly to the United States, Asia, Africa and Europe. Hennessy's freight strategy focuses on maritime transport and rail, known to have a lower carbon impact (respectively 90% and 5% of Hennessy's shipments), and the team continuously reviews its supply chain flows to reduce its CO<sub>2</sub> impact wherever possible. Maritime transport emits 250 times less carbon in the atmosphere than air transport. Air transport, the most polluting mode of transport, is the exception and represented less than 0.2% of shipments in 2021. The Maison is committed to making decarbonization a priority in its transition to green technologies with limited impact. At the end of 2020, Hennessy was the first Cognac company to sign a partnership with Neoline windpowered shipping for its transatlantic shipping to the USA. Hennessy has since been joined by other wine and spirits companies (www.neoline.eu).

### DIAGEO - EMPOWERING WOMEN WHILE PROVIDING ACCESS TO SAFE DRINKING WATER



Project S.H.E (Security. Health. Education) is a grass-roots programme launched by Diageo in India to benefit communities around its bottling plants, which are situated in semi-urban and rural areas, and which lack the basic infrastructure necessary for a dignified living. S.H.E focuses on:

- > Ensuring Water Security: Making clean drinking water available.
- > Ensuring Community Health: Providing preventive care and healthcare for women, young mothers and adolescent girls.
- > Providing Education: Imparting training in employable skills. Project S.H.E has benefited over 50,000 people in the villages around Diageo's plants in Bhopal, Gopalpur, Alwar, Puducherry, Orissa and Udaipur in India.

### PERNOD RICARD - PARTNERING WITH ECOSPIRITS TO DEVELOP A MORE SUSTAINABLE BAR SCENE

Pernod Ricard, the world's second largest wine and spirits company, is partnering with ecoSPIRITS to pilot an innovative, closed-loop distribution system in Hong Kong and Singapore. Joined by the company's iconic brands, such as Swedish Vodka brand Absolut Vodka, this partnership is the first of its kind for a global brand portfolio and will help reduce waste and carbon emissions resulting from the production and transportation of glass bottles and other secondary packaging.



**ILLICIT TRADE IN ALCOHOL HAS A DETRIMENTAL IMPACT ON 5 OF THE UN'S** SUSTAINABLE DEVELOPMENT GOALS (SDGS)



This figure is much higher in many markets.

BILLION OF FISCAL REVENUE TO ILLICIT ALCOHOL

Sources: Euromonitor – aggregate from different studies on illicit alcohol in different regions of the world; TRACIT & Ha Noi











### ILLICIT ALCOHOL: A THREAT TO SUSTAINABLE **DEVELOPMENT**

26% of alcohol consumption is illicit, with serious consequences for consumers including health risks stemming from the consumption of unsafe products, for governments - with an estimated loss in fiscal revenues of at least US \$8.9 billion per year - and for legitimate businesses.



Scan the QR code to read Trade brochure.

This is not only an IP issue: illicit alcohol is a serious threat to sustainable development. Engaging with trade partners – in particular developing countries – to address barriers & factors which fuel the rise of illicit trade should be a priority for the EU.

#### WHEN TRADITION MEETS INNOVATION

# GIS: A SPIRIT OF TRADITION

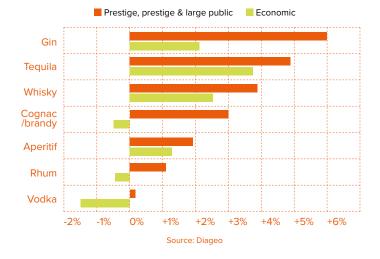
Geographical indications identify a spirit drink as originating in the territory of a country, a region or locality in that territory, where a given quality, reputation or other characteristic of that spirit drink is essentially attributable to its geographical origin. Natural, human and process factors are among the elements that help to create distinctive spirits Gls.

There are 240 registered Geographical Indications for spirits and they represent about 2/3 of our exports outside the EU. They have an international reputation and are a source of growth and jobs in Europe – particularly in rural areas - because the production cannot be moved elsewhere. Their continued contribution to rural development is therefore essential.

The fame of spirits GIs helps boost spirits tourism, which helps in turn revitalise rural communities, as they come together to promote their region as a destination where visitors from all over the world can enjoy the richness of Europe's cultural heritage.



#### GROWTH OF SPIRITS CALLED "INTERNATIONAL" PER RANGE OF PRICE (2016-2021)



#### **PREMIUMISATION**

Premiumisation describes the broad trend of consumers 'trading up' and choosing more expensive products in the quest for unique consumption experiences. In recent years, premiumisation has become a key driver behind value growth in spirits sales around the world, as consumers look for increasingly exciting and high-quality experiences and choices to suit their tastes. In emerging countries, the expanding middle-class population means that 750 million new adult consumers will seek premium alcoholic beverages by 2030¹. By encouraging consumers to 'drink better, but not more', premiumisation can also help to foster a sensible, moderate relationship with alcohol.

<sup>1</sup> Xerfi, 2020: Le marché mondial des boissons alcoolisées

#### E-COMMERCE

Spirits producers are increasingly investing in e-commerce sales channels to reach their consumers, a trend accelerated by the COVID-19 crisis. In 2021, the value of the global e-commerce market for spirits was estimated at \$13.4 billion. While this number is impressive, it only represents 2.9% of global spirits sales. Restrictions – whether complete or partial – in certain markets mean that the spirits sector is not able to make the most of the opportunities offered by the digital transition yet.



#### TOWARDS A RENEWED TRANSATLANTIC PARTNERSHIP

The US remains our biggest trading partner, with exports of a value of €3.26 billion in 2021, an increase of almost 19% compared with 2020. Until recently, retaliatory tariffs imposed on a range of U.S. and EU distilled spirits as part of trade disputes unrelated to the sector negatively impacted bilateral trade, harming small businesses, consumers, workers, and farm suppliers. Thankfully, these devastating tariffs imposed on EU & US spirits have been suspended, effectively allowing the return to duty-free trade that had been in place since 1997. We need this suspension to be made permanent & to reinforce transatlantic regulatory cooperation on spirits, reflecting the strong degree of interconnections between EU & US spirits producers.

US WHISKEY EXPORTS TO THE EU

+40%

7 2008-2018

-37%

□ From 2018 when EU tariffs were
 first imposed on US
 whiskey - to end 2021
 when they were
 suspended

Source: DISCUS

EU LIQUEURS &
CORDIALS EXPORTS
TO THE US

-28%

Oct 2019-Aug 2020 (compared to the previous year) GERMAN EXPORT TO THE US

-€900

MILLION ANNUALLY

when retaliatory tariffs were in place

Sources: Eurostat 2021 & Die Stiftung für Familienunternehmen in Deutschland und Europa

### EU-US REGULATORY COOPERATION ON SPIRITS

In recognition of the unique role of the spirits industry and the deep commercial and cultural ties between U.S. and EU producers, we call for an agreement to deepen bilateral cooperation on spirits trade, to achieve the following:

- > 1. Regulatory best practices for the labelling and certification of spirits;
- > 2. Recognition of additional distinctive spirits/Gls categories
- and increased protection of EU GIs in the US;
- > 3. Establishment of a working committee on trade in spirits, to boost transatlantic trade in spirits and assist in expanding opportunities for EU and U.S. spirits exports to other markets around the world.



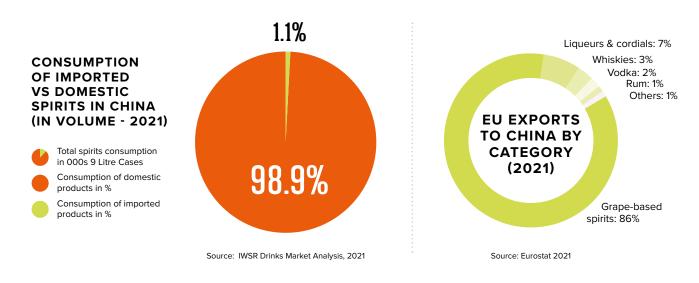
"The suspension of retaliatory tariffs is an important first step in the reemergence of the spirits trade between the United States and European Union. International suppliers with home markets in the U.S. and across the European Union, like Heaven Hill Brands (owner of Carolan's Irish Cream), are impacted two-fold through import and export. Given potential global economic instability and rapidly rising inflation, removal of the tariffs between two of the world's largest trade partners must be permanent. Doing so would cement the long-lasting vitality of the global spirits industry."

#### **BRYAN FALLON**

Managing Director, Heaven Hill International (owners of TJ Carolan & Son Ltd, IRL)

#### CHINA: A MARKET WITH HUGE POTENTIAL

China is the second largest export market for EU spirits, after the US, with exports of a value of over €865 million in 2021, and one which has grown significantly over the last year (+61.5%). Notwithstanding the COVID crisis, China has remained a stable export market for European spirits as a result of its openness. Maintaining a constructive dialogue and balanced relationship with China is essential, both at political and regulatory levels, to preserve this openness and prevent barriers from arising.



# REGULATORY COOPERATION WITH CHINA

The Chinese market is currently open for EU spirits. However, spirits producers face the prospect of significant red tape and costs, as a number of new legislative rules affecting food & drink manufacturers – not least on labelling – are due to enter into force in the near future. It will be important that these new rules are implemented carefully so that they do not create unnecessary red tape and costs for large producers and insurmountable trade barriers for small distillers.



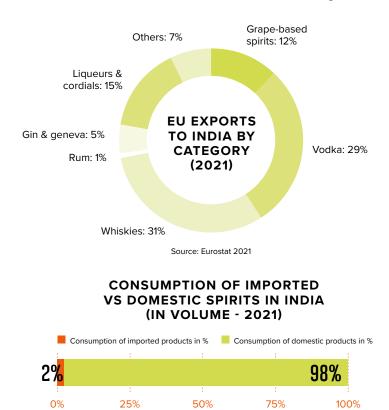


"From the moment Maison Larsen started to work with a credible and dynamic distributor in China in 2017, the size effect of the Chinese market acted as a paradigm shift for our company. This market needs more attention because of the linguistic barrier and the cultural gap for EU exporters. If you have partners who can help you bridge this gap, the market can hold significant potential."

#### JÉRÔME DURAND Managing Director, Cognac Larsen

#### UNTAPPED MARKETS WITH SIGNIFICANT POTENTIAL

EU trade policy efforts should focus on those countries that hold the biggest potential in terms of market access improvement and trade barriers reduction, including for European spirits.



#### INDIA

With a population of almost 1.4 billion inhabitants and a growing middle class, India is one of the most promising markets for EU spirits. Yet, the value of EU spirits exports to India in 2021 was only €26.8 million, against €865 to China.

An import tariff rate of 150% ad valorem (100% Cess + 50% customs duty) applies to spirits in India - one of the highest rates in the world. Aside from this tariff, which unfairly penalises premium products, EU negotiators should address the following barriers as a matter of priority:

- Prohibition & restrictions in certain states and a persistent sales ban imposed on imported beverages in military canteens
- > Regulatory issues,
- > IP issues, including improvements to the trademark registration system & better protection for EU spirits Gls.

#### **ASEAN**

With a population of over 655.5 million inhabitants, the ASEAN Region is expected to become the world's 4th largest economy and the 3rd most populous by 2030. Over the next years, the confluence of favourable demographics and rising income levels will create significant opportunities in the region for EU spirits exporters. The EU should have an ambitious trade policy in place towards ASEAN countries, as EU spirits exporters continue to face a combination of high tariffs (eg, 150% in Indonesia and 60% in Thailand) and particularly challenging local tax and regulatory environments.

Sources: SWA & IWSR Drinks Market Analysis 2021

\* The Singapore hub is the cornerstone of our supply chain model. We welcome the Commission's efforts to ensure that rules of origin allow for the use of the regional hubs that provide for economies of scale – while retaining the eligibility for the preferential tariff agreed in FTAs.



#### MAKING THE MOST OF EU FREE TRADE AGREEMENTS (FTAS)

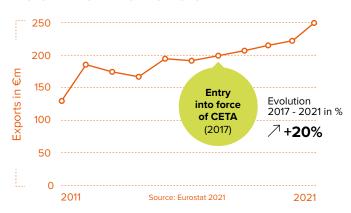
Our sector remains deeply committed to FTAs, which have cut down tariffs, improved GIs protection and have paved the way for significant market access improvements. Good enforcement, under the leadership of the EU's Chief Trade Enforcement Officer (CTEO), is critical to ensure that partners deliver on their commitments and that unforeseen barriers, red tape or lack of information do not prevent companies – especially SMEs – from benefitting from the FTAs to the fullest possible extent.

#### #CETA - EU-CANADA FTA

Five years after ratification, it is clear that EU spirits have benefited from CETA. Still, a number of discriminatory rules for imported spirits remain.

CETA should be ratified without delay by all EU Member States. Existing discriminations that unfairly favour in-province distillers in Canada must be tackled as a matter of priority, to ensure EU spirits producers can compete fairly, in line with CETA provisions.

#### **EU SPIRITS EXPORTS TO CANADA**



#### EU SPIRITS EXPORTS TO VIETNAM AND TO SINGAPORE IN VALUE



#### **#EVFTA - EU-VIETNAM FTA**

The EU-Vietnam FTA, in force since 2020, and of which spiritsEUROPE was and continues to be a fervent supporter, has the potential to help boost our exports to Vietnam. So far, however, this has not been translated into a visible increase in both direct exports & exports through Singapore, due to the combined effects of COVID restrictions and tax increases. The sharp successive increases in excise taxes in the years following the conclusion of the EU-Vietnam FTA have de-facto cancelled out the reductions in import duties negotiated as part of the FTA. As a tax revision is foreseen in 2022-3, it is essential to ensure that the reductions in import duties are not levelled out by a further sharp increase in domestic taxes.



"Teeling Distillery was the first new Irish whiskey distillery to open in Dublin over 125 years. This year we celebrated our 7th birthday and we are focussed on growing our exports to more global markets. Australia has proven to be one of our fastest growing markets and we are looking forward to the EU-Australia FTA offering even more growth. We have also seen ongoing growth in Canada, aided by cuts in marks-up and levies on foot of the CETA."

#### JACK TEELING

Founder & Managing-Director, Teeling Whiskey Company

#### FROM NEGOTIATIONS TO RATIFICATION: DELIVERING ON PROMISES

With the combined effects of the COVID-19 crisis and the war in Ukraine, EU spirits exports need more help than ever to diversify their exports destinations. Completing advanced negotiations and ratifying negotiated FTAs without delay is a must in this context.

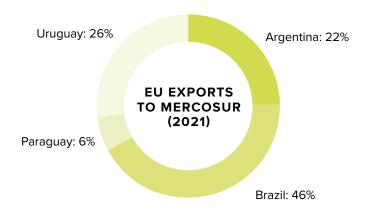


#### **EU-AUSTRALIA FTA**

Australia has consistently been in the top 10 export destinations for EU spirits, and 2021 was no exception. Australia's "nuisance" tariff of 5% places EU spirits at a disadvantage, given that competitors such as the United States already have agreements in place. The EU-Australia FTA would also allow both sides to strengthen their existing regulatory cooperation, including with regard to market access issues in other countries.

#### **EU-MERCOSUR FTA**

With a population of over 268.5 million inhabitants, Mercosur countries offer great potential for EU spirits. The EU-Mercosur agreement will bring down barriers on both sides and provide new opportunities to EU producers, through gradual tariff elimination, greater protection of spirits GIs against counterfeiting and trade facilitation measures.



£50.5 Million

IMPORTED SPIRITS IN BRAZIL

OF OVERALL SPIRITS
CONSUMPTION

Source: SWA – IWSR Drinks Market Analysis 2021



"Licor Beirão, the liqueur of Portugal, is exported directly to over 40 countries, including Brazil. The Mercosur region, and Brazil in particular, presents significant potential for my family-owned company. The EU-Mercosur agreement could facilitate our expansion in this very fast-growing region, through gradual tariff elimination and red tape reduction, making it easier and cheaper for us to export".

**DANIEL REDONDO**CEO Licor Beirão

#### REMOVING BARRIERS TO BOOST EU EXPORTS

#### TYPES OF BARRIERS FACED BY EU SPIRITS EXPORTERS

EU spirits producers face a number of trade barriers when exporting to third countries:

- > **High import tariffs:** While most duties on spirit drinks among developed nations are liberalised or relatively low, some countries continue to apply very high duties on imported spirit drinks. Examples of such peak duties can be found in India (150%), Indonesia (150%), Thailand (60%) or Angola (60%).
- Discriminatory taxation: European spirits frequently face national excise tax systems that favour domestically-produced spirits in contravention of GATT Article III (General Agreement on Tariffs and Trade). Examples include tax discrimination in Thailand, Costa Rica or in Peru.
- Poor IP protection: European producers have made significant investments in building brands, categories and Gls, creating strong international reputations based on unique qualities and characteristics. Unfortunately, because of their success, many European spirits are the object of imitations and knock-offs which attempt to capitalise

- on the reputations built over time, and which compete unfairly with legitimate products.
- > Technical barriers to trade: Rules and standards not aligned with international ones, overly prescriptive and cumbersome labelling & packaging rules, or discriminatory technical requirements can act as significant barriers to trade for spirits producers, especially SMEs.
- Complex & burdensome customs procedures: When exporting to third countries, spirits exporters often face complex and lengthy customs procedures, excessive certification and documentation requirements, high levels of fees and charges and poor regulatory transparency. Non-transparent and complex customs procedures increase the transaction costs for doing business internationally.

The role of the EU is critical in addressing these barriers – either through relevant WTO committees or bilaterally.

# REINFORCING THE MARKET ACCESS PARTNERSHIP



spiritsEUROPE values the market access partnership and the opportunities for exchanges with the Commission, EU Delegations and member states that the Market

Access Advisory Committee (MAAC) & MAAC sectorial working groups offer. The growing numbers of barriers faced by EU spirits exporters, together with the need to enforce more robustly commitments made by third countries both at WTO & bi-lateral level, have only increased the relevance of the MAAC & its dedicated WGs. Reinforcing links between the Trade Policy Committee & the MAAC, increasing coordination of input ahead of relevant WTO (beyond the TBT & SPS committees) and bi-lateral meetings with trade partners through the MAAC or strengthening links between the dense network of EU delegations abroad, the Commission, Member States and industry could reinforce the market access partnership.

### REGULATORY COOPERATION: USING DIPLOMACY TO REMOVE & PREVENT TRADE BARRIERS

The EU should develop a more strategic bilateral regulatory dialogue with key markets in order to minimise barriers to trade for spirits producers and help provide greater legal certainty & clarity with regard to foreseen regulatory developments. We would advise to focus primarily on key markets where the industry faces the prospect of significant regulatory hurdles in the near future. In addition, the EU should work together with like-minded third countries to help address market access barriers coming from other third countries, while continuing to invest in regulatory cooperation at multilateral level, for instance through Codex Alimentarius. Our sector stands ready to contribute to these different streams by providing expertise in the fields of spirits and GIs regulations, taxation, labelling, logistics and operations, to name but a few, facilitating field & study visits and through our global industry network, the World Spirits Alliance.

1 | Make the
temporary removal
of EU & US tariffs
on spirits permanent & ensure
that sectors in which the EU
has a trade surplus are
NOT brought into
unrelated disputes

2 | Engage in regulatory cooperation on spirits standards with priority markets (not least China) and like-minded partners 4 | Create a
level-playing field
between local & EU
actors in 3<sup>rd</sup> countries,
by addressing
protectionist measures
& discrimination

3 | Ensure effective implementation of existing FTAs & commitments by 3<sup>rd</sup> countries 5 | Ratify concluded agreements without delay (e.g. EU-Mercosur FTA)

# 10 RECOMMENDATIONS TO STRENGTHEN THE SUSTAINABLE GROWTH OF EU SPIRITS EXPORTS

6 | Pursue ambitious trade negotiations with emerging high growth markets (India, ASEAN & high-growth markets in Africa)

7 | Strengthen the role & relevance of the WTO

8 | Prioritise
multilateral solutions
to common challenges
over autonomous measures
where possible & ensure
WTO compliance of new
policies

9 | Continue to promote and protect quality EU food & drink products and Geographical Indications (GIs) worldwide

10 | Tackle illicit trade and address common risk factors conducive to illicit trade

# €8 406 373 375

Export sales outside EU

#### €45.7 billion

\* \* \*

### 1.2 million

EU JOBS IN PRODUCTION AND SALES IN EU+'

31

NATIONAL ASSOCIATIONS 11

LEADING INTERNATIONAL COMPANIES

## 1 Strong Common Network!

\* EU+ = UK, Norway and Switzerland



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