



13 February 2025

**Dr. Alejandro Vilches**

Presidente de la Comisión Nacional de Alimentos  
Secretario de Gestión Sanitaria del Ministerio de Salud  
Argentina

Dear Dr. Vilches,

**Re: Comments on the incorporation of wood chips to distilled spirits (EX-2024-120351636- - APN-DLEIAER#ANMAT)**

The Scotch Whisky Association (SWA) is the trade body for the Scotch Whisky industry and its object is to protect and promote the Scotch Whisky trade worldwide. We have more than 90 member companies, all of whom are distillers, bottlers, blenders, or brand owners and together they account for around 95% of the industry's production. Our members own hundreds of brands enjoyed in more than 180 markets worldwide, including Argentina.

The SWA is grateful to the Government of Argentina for notifying the proposal to include article 1201 bis in the Argentinean Food Code. Any rulemaking in this area is important for the SWA, as Argentina is one of the top 10 markets for the Scotch Whisky industry in Latin America and the Caribbean. We would therefore like to submit comments for your consideration.

Traditional whiskies, such as Scotch Whisky and Irish Whiskey have formed consumers' expectations and understanding of what is meant by the term 'whisky' around the world. They have a traditional reputation as products whose flavours come from their raw materials and production process. Consumers in different markets, including those in Argentina, expect whisky to be made only from cereals, without any added flavours. That consumer expectation is reflected in many statutory definitions of whisky around the world, including the UK, EU and Argentina which prohibit them.

Under Article 1116 of the Argentinean Food Code<sup>1</sup>, whisky or whiskey is defined as a spirit obtained from the special distillation of fermented cereal musts, aged (matured) in the presence of oak or other suitable wood. Only the use of natural caramel or caramel colouring (INS 150a) for colour correction is permitted.

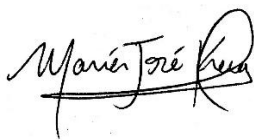
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<sup>1</sup> [https://www.argentina.gob.ar/sites/default/files/anmat\\_caa\\_capitulo\\_xiv\\_act\\_2023\\_04.pdf](https://www.argentina.gob.ar/sites/default/files/anmat_caa_capitulo_xiv_act_2023_04.pdf)

The proposed inclusion of Article 1201 bis in the Argentinean Food Code suggests allowing the use of wood chips in the production of alcoholic beverages to obtain certain characteristics from the wood. However, this directly contradicts the definition of whisky in Article 1116 of the Argentinean Food Code. The use of wood chips, whether added prior to distillation or to the barrels in which the whisky is aged, will influence the flavour of the spirit, thereby undermining the established definition and consumer expectations of whisky.

Given the inconsistency, and to avoid any consumer confusion, we respectfully recommend that the regulation explicitly state that wood chips may only be used in the production of distilled spirits where the addition of flavours is not prohibited. This will help protect the whisky category while ensuring alignment with the definitions of whisky established in both Argentina and the UK.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'María José Kong', with a stylized flourish at the end.

**María José Kong**  
Head of Trade - Americas  
Scotch Whisky Association