

universally, respected practice; that it has contributed immeasurably to the development of exquisite products which deservedly lay claim to distinguished uniqueness; and that through both national and international protection of appellations of origin have the common interests of producers and consumers been respected and honored.

"We believe that it has been well said that imitation is the sincerest form of flattery. Yet, this truth provides neither protection for the consumer who might buy a bourbon whiskey produced in Madagascar nor solace for the producer who stands by helplessly while the product of his ingenuity and his country's soil and climate is thus maligned and its good name pirated.

"We believe that usurpers of appellations of origin in the long run pay a price for the temporary advantage which their usurpations generate—a price that justice inexorably exacts through the consumer's stamp of "imitation" on the usurper's product. The penalty so exacted does not, however, compensate fully for the injury done the original producer and his product. Consequently, governmental action to restrict the use of the name geographically is justified, reasonable and necessary.

"We believe that there is impressive precedent abroad for this proposed recognition of bourbon whiskey by the United States. Consider this: for centuries Sherry, Porto, Asti, Tokay, Johannisberg, Champagne, Sauternes, Cognac, Bordeaux, Burgundy, and other wines and spirits have been identified with areas of Spain, Portugal, Italy, Hungary, Germany and France. They have been protected by the governments of those countries through the delimitation of the boundaries of the areas of the producing regions which may use these names—official actions intended to protect producer and consumer.

"We believe that international recognition of the importance of geographic identification of indigenous products by many European countries points up the propriety of your proposed action. This recognition is highlighted by the Madrid Agreement of 1891 signed by 28 countries; the Convention of Union for the Protection of Industrial Property, which met at The Hague in 1925; the deliberations of the International Chamber of Commerce meeting at Berlin in 1937; and of the United Nations Conference on Trade and Employment held in Havana, Cuba in 1947-8.

"Throughout these meetings, conferences and agreements run these themes: (1) As the soil belongs to men, so fame is the fruit of their labor. Whoever usurps it commits an injustice. The appellations of origin are, for the area and the men who founded them, an indefeasible property.

"(2) Appellations of origin connote quality as well as origin and help to prevent consumer deception.

"These efforts of businessmen and public officials of other countries to recognize and protect appellations of origin for products of their own and other countries provide support and justification for the designation by the Government of the United States of bourbon whiskey as a unique product of the soil and climate of this country and the artistry of American distillers.

"So, too, will your proposed action justify and inspire similar protective action by other governments, all of which may well lead ultimately to greater respect and protection throughout the international community for all well-founded and meaningful appellations of origin. This identification of the unique products of individual countries, which are indigenous to their soil, climate and skills, will place a premium on high quality products thus fostering an uncompromising search for perfection and expanding enjoyment of the better things of life throughout the world."

Every claim which I asserted on behalf of Bourbon Whiskey can rightfully be asserted, often with far greater historical justification, on behalf of European products employing long-recognized appellations of origin.

The Wine Institute insists that European countries must abandon their centuries-old system of appellations of origin in order to admit American wines into their markets and they seek your help in this venture. No point is made by them of the possibility or likelihood that some day—perhaps, some day soon—American vintners will, in response to their justifiable pride in the quality and marketability of their fine wines, assign names to them that will signify American geographical areas. American origin, American heritage, American artistry, American technology and, yes, American pride. The fact is that some American vintners have already taken steps in that direction with commendable vision and confidence. Their vision and their voice unfortunately have not been acknowledged or given expression in the statement of the Wine Institute.

Under the foregoing circumstances, does not this demand of the Wine Institute, however irenic its intentions, take on colorations of presumption and