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HMRC sets approval rules for English Whisky

Producers have 90 days to apply under a code requiring all-English production, three years in oak, 40% ABV bottling

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HM Revenue & Customs has issued guidance that sets out the rules for using the designation English Whisky, adding a formal verification route for spirits producers that want to market whisky under that name in the United Kingdom.

The guidance explains that the legal framework came into force on November 23, 2022, when a new category for English Whisky was introduced into the UK Spirits Code. Under that system, producers can apply for approval to use the designation, provided they can show that their product meets the required production standards.

HMRC said English Whisky must be produced entirely in England from a mash of malted cereals fermented by the action of yeast. It must then be distilled at less than 94.8% ABV so the spirit keeps an aroma and taste derived from its raw materials. The whisky must be matured for at least three years in oak casks with a capacity of no more than 700 liters, and it must be bottled at a minimum strength of 40% ABV.

Producers seeking recognition under the code must demonstrate that their whisky satisfies all of those conditions. HMRC said the system is designed to let approved producers market their spirits as English Whisky while giving consumers assurance about provenance and production standards.

The guidance also sets out a compliance timetable for the industry. Existing producers will have 90 days to apply for verification and pay the required fees, according to HMRC. A transition period is due to run until May 11, 2028.

The move gives English whisky a more formal place inside the UK’s spirits regulatory structure at a time when English distilling has been expanding beyond small local brands. By tying the name to a defined method of production and a government approval process, the rules could affect not only distillers but also bottlers and marketers that want to use the designation on labels, packaging, and sales material. For the broader drinks business, that means a clearer standard for one growing spirits category and a more specific compliance burden for companies that handle those products.

HMRC said the UK Spirits Code is managed by the tax authority with support from other regulatory bodies. The government guidance directs producers to contact HMRC for further information and to apply for recognition, with additional details available through the official government website.

The standards themselves place English Whisky alongside other protected spirits categories that rely on a combination of geography and method. The requirement that production take place entirely in England, together with the restrictions on raw materials, distillation strength, maturation, cask size, and bottling strength, creates a narrow definition of what can legally be sold under that name. In practice, that means producers that use different grains, different maturation periods, or different production methods may continue making whisky-style spirits, but they would not qualify for the English Whisky designation unless they meet the code’s conditions.

For consumers, the main effect is likely to be greater consistency in what the label means. HMRC said the designation is intended to assure buyers of both origin and standards. For producers, the guidance establishes the evidence they will need to gather and present if they want official recognition, including proof that their spirit was made in England and that each stage of production falls within the required limits.

The development also matters because naming rules in alcohol often shape competition in the market. A recognized designation can help smaller producers distinguish their products, but it can also raise the administrative and production threshold for entry. In the case of English Whisky, the verification process may offer a marketing advantage to approved makers while requiring others in the supply chain to review labeling, sourcing, and recordkeeping to avoid misusing the term.

HMRC said the new designation is intended to support the development and recognition of English whisky producers while maintaining high standards in the UK spirits industry. With the rules now spelled out, companies using or planning to use the English Whisky name face a clearer, and more enforceable, set of conditions for doing so.