

Tequila

Endangered Cultural Heritage

Bernardo Olmedo Carranza*



German Romero/Cuartoscuro

INTRODUCTION

Ancestral knowledge is part of any people's cultural heritage. There is increasing concern about the protection of this traditional knowledge and wisdom linked to national, regional, and even local history and socio-cultural identity of societies the world over.

This has become a more and more important item on the international agenda, particularly because of the endangerment of this kind of knowledge, especially that produced by underdeveloped societies and the most vulnerable peoples whose cultural riches are at risk of disappearing and/or being privatized.

Some elements for analyzing this are associated with concepts like "appellation of origin" (AO), involving ownership

and territoriality, and official norms. These are linked to specific characteristics that define the quality required for certain products to be considered part of traditional knowledge, but also to other kinds of attributes identifying them as a people's material and intangible cultural heritage.

The study of tequila gives rise to results that are both interesting and disquieting when we add the concept of cultural landscape (surroundings) to the idea of a society's cultural heritage.

TEQUILA, AN EMBLEMATIC MEXICAN BEVERAGE

Tequila, a traditional alcoholic beverage originating in Mexico, is already entrenched as part of the national, regional, and local socio-cultural identity. Considered an ethnic nostalgia product, given its characteristics and attributes, it is emblematic internationally, and highly appreciated both in

* Researcher at the UNAM Institute for Economic Research, bolmedo@unam.mx.

Mexican migrant markets and by foreigners alike.¹ Linked to different cultural manifestations of Mexican society, it has become a symbol of Mexicans' identity.

It is produced using the *Tequilana Weber* blue agave plant native to Mexico. Originally made during the seventeenth and eighteenth centuries using artisanal processes, by the nineteenth century it was being made industrially using the old procedures. However, its origin, nature, and unique characteristics have changed over the years. Although since 1974 it has had an appellation of origin (AO), and since 1994 has been regulated by an Official Mexican Norm (NOM), both have undergone modifications. Its being exported and the way that is done have become mechanisms for altering and adulterating the beverage.

On the other hand, in 2006, the United Nations Educational, Scientific and Cultural Organization (UNESCO) declared what it called the "agave landscape," covering thousands of acres of agave fields, the old industrial facilities, the distilleries, the haciendas, the towns, and their traditions, a World Heritage Treasure.

Originally, it was made by family-run agribusinesses established fundamentally in the state of Jalisco. Since the 1960s, some factories have partnered up with capital from the rest of Mexico and abroad. The importance of international capital in the Mexican tequila industry is derived from the fact that, today, they own 9 out of the 10 most important brands (determined by quality, price, prestige, and age). This includes the production, bottling, and distribution, the brand names, and even part of the "agave landscape." The truth is that the attributes of tequila have changed, and there is a risk that foreign private business will appropriate the traditional knowledge used in its production.

APPELLATION OF ORIGIN (AO)

A specialist in the field states, "The alcoholic drinks we consume in our country, whether our own or adopted, distilled or not, have profound experiential histories.... They are culturally and historically regulated. At the same time, they are the product of their places of origin, part of those places' identity; it is no exaggeration to say that beverages are cultural condensations of times and spaces.... Things, just like people, have their own biographies."²

In this sense, tequila is a product firmly linked to the original territory from which it derives its AO, but that has

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also broadened out its territory. It has its own "anchor" that includes the cultivation, manufacture, commercialization, and even the people involved in each process, "as well as the significance of all of this for the collective memory."³

One first aspect of the process of de-naturalization and alteration of tequila's originality and quality is its native territorial anchorage and the changes that has undergone; this is concretized in an AO that no longer expresses that territorial originality located in only four municipalities of Jalisco—the name of the original beverage is actually derived from that of one of these: Tequila.⁴

The concept of AO is derived from a guideline established by the Union for the Protection of Industrial Property (UPIP).⁵ The Lisbon Agreement (1958) defines it as "the geographical denomination of a country, region, or locality, which serves to designate a product originating therein, the quality or characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors."⁶ Mexico participated in and signed these agreements, but its government did not carry out the necessary procedures for the origin of tequila to be recognized at that time—the government delimited the territoriality of the production of its raw materials only in 1974—and the UPIP could not internationally recognize an AO for tequila.

However, the Mexican government has entered into negotiations in this area in its different free trade agreements and with the World Trade Organization to achieve recognition of origin for tequila as an exclusively Mexican product, but not its original national territoriality, which has meant that "tequila" is produced in other regions of the world.

OFFICIAL MEXICAN NORM (NOM)

Today, the tequila AO (which has undergone three modifications, in 1977, in 1999, and in 2000) recognizes as Appellation of Origin Territories (AOT) 181 municipalities in five

In 2006, the “agave landscape”
was registered on the UNESCO’s
Cultural Heritage List, including the old tequila
industrial facilities, the haciendas where
it was produced yesterday and the places
it is made today, the agave fields, and the Jalisco
communities where it originated.

states of the country: Guanajuato, Michoacán, Nayarit, Tamaulipas, and Jalisco. In addition, its quality is open to discussion because of an element that impacts the process of de-naturalization of tequila: the Official Mexican Norm (NOM), which has changed under pressure from the large national and multinational tequila producers.

The 1949 NOM—precedents exist as far back as 1943—recognized as tequila the spirit distilled from 100 percent *Tequilana Weber* blue agave.⁷ This original natural quality underwent adulterations to favor the economic interests of the businessmen who produced the spirit and the abundance or scarcity of the raw material. The state did nothing to regulate this, making this the second element in the process of de-naturalization, in addition to the AO.

Today, the beverage is adulterated legally because, under the law, a spirit is considered tequila if it contains up to 51 percent alcohol derived from the specific agave, and up to 49 percent from other sugars, according to the current NOM-006-SCFI-2005, in effect since 2005.⁸

CULTURAL HERITAGE AND RISKS

Two additional factors have influenced the process of tequila’s de-naturalization: the increasing weight of foreign companies among producers and exports in bulk, without their original bottling, and the creation of the Tequila Regulating Council (CRT).

Because it is a cultural, ethnic, emblematic product of Mexico, tequila has generated growing demand in recent years nationally and internationally. Today, more than half of national production is exported and sold in about 120 countries, although 80 percent goes to the United States. This is due to the importance of the Mexican migrant market, which represents almost 75 percent of that country’s Latino market, or about 30 million people, equivalent to 30 percent of the current population of Mexico.

However, not all the tequila exported is made from 100 percent agave. Because of the changes in the NOM, the quality of tequila has changed over time, due, as I already mentioned, to pressure from the companies that produce it, among which foreign companies have taken on more and more weight since the 1960s.⁹ They have become owners and/or partners in the most important companies and brand names, and their growing presence has undoubtedly played an outstanding role in the CRT, practically led by businessmen.

The CRT was created in 1993 with the aim of “promoting the culture and quality of this beverage that has won an important place among the symbols of national identity.” In order to ensure quality, it is accredited as the verification unit and certification body, with the approval of the Ministry of the Economy’s General Norms Office (DGN), the same body that determines the NOMs.

Thus, tequila production is regulated by business owners, a sector that is trans-nationalized. In the 1970s, two of Mexico’s main tequila manufacturers, which represented 40 percent of total production and were the two main exporters, were in the hands of multinational companies (Sauza, then in the hands of the Domecq consortium, and today in the hands of another foreign company; and Casa Cuervo, owned by Hublein Co.). By 2002, after mergers and takeovers of medium-sized and small producers, multinationals represented more than half of all tequila production, a proportion that declined slightly when Cuervo was re-acquired by national capital.¹⁰ However, that bump in the road was soon overtaken by the continual acquisitions by other important tequila production companies, like the sale of Herradura, one of the most prestigious producers of quality tequila, five or six years ago to Brown-Forman. And it looks like Cuervo has already entered into negotiations to cede its trademark to the multinational Diageo in 2012.

Of all tequila exports today, about 25 percent are actually made from 100-percent agave in all its categories (white; young [or gold]; reposado [rested]; anejo [extra aged]; extra anejo [ultra aged]; and special reserve).¹¹ According to CRT figures, while the proportion exported in bulk has declined and that of the bottled spirit has risen, among the latter, the amount of non-100-percent agave, that is, adulterated tequila, has increased. Five years ago, it was said that about 90 percent of exported tequila had not complied with the bottling aspect of the appellation of origin. These products are bottled at their destinations, above all by foreign companies, particularly in the United States, the destination of 80 per-

cent of all tequila exports, an amount similar to that of all the tequila consumption in Mexico's domestic market. This means that more value-added is not incorporated into these exports in Mexico.

To the contrary, according to studies, tequila exported in bulk is sold as 110-proof, to be watered down to 76-proof, and even as low as 70-proof, for final consumption.¹² This means that tequila is even more de-naturalized through this form of sale and that it is difficult for "Mexican authorities" (in reference to the CRT) to control the quality of "tequila" sold in this way; it is well-known that it is also sold in bulk to restaurants and bars in the United States to make mixed drinks and cocktails, which is a way to disguise the adulteration of the spirit.

One more element must be added to all of the above. On August 27, 2006, the "agave landscape" was included and registered on the UNESCO's Cultural Heritage List. This includes, as I already mentioned, the old tequila industrial facilities, the haciendas that were the birthplaces of what is now this agribusiness, the places where the current manufacturers have their plants, the agave fields, and the towns, municipalities, and communities in the state of Jalisco where tequila originated.

The agave landscape has historical and cultural value, and only includes a few Jalisco municipalities: Amatitlán, Arenal, Tequila, and Teuchitlán. These are the places where tequila really originated; it is there that the old industrial plants, the agave fields, the distilleries, haciendas, and towns exist that are an example of what the UNESCO calls traditional human settlements in the world.¹³

The multinationals, which have either purchased or partnered up to become owners of the companies, their trademarks, designs, their tangible and intangible assets, as well as their captive markets, are now to a large extent the owners of the agave landscape, too. The agave landscape is made up of the knowledge, culture, tradition, and ethnic aspect of the society and indigenous communities where tequila originated, and by extension, of Mexico, given the emblematic nature of this beverage, considered part of the nation's heritage. And it seems there are no official regulations dealing with this.

FINAL THOUGHTS

What this article puts forward refers us to the imperious need for strict regulation by the Mexican government to re-

cover tequila's territorial origins and conditions for quality. This is in order to deal with the risk of an eventual transnationalization of the agave landscape, which is the cultural heritage of the creators of tequila and the Mexican nation.

What is of concern, however, is the almost complete absence of national policy in this area, whether regarding tequila or other Mexican ethnic products. This endangers traditional knowledge, which is part of Mexico's social, cultural, and identity heritage. Mexico has never been precisely an example of the protection and preservation of its heritage through legal means offered in legislation on intellectual and industrial property. ■■■

NOTES

¹ See Bernardo Olmedo Carranza, "Latin American Markets in North America 'Ethnic and Nostalgia' Products," *Voices of Mexico* 86, September-December 2009, pp. 57-60.

² Camilo Contreras Delgado, "Introducción," Camilo Contreras Delgado and Isabel Ortega Ridauro, comps., *Bebidas y regiones. Historia e impacto de la cultura etílica en México* (Mexico City: Universidad Autónoma Agraria Antonio Narro/Universidad Autónoma de Yucatán/Consejo para la Cultura y las Artes de Nuevo León/Plaza y Valdés, 2005), pp. 9-10.

³ *Ibid.*, p. 10.

⁴ "De-naturalization" is understood as the way in which the original beverage has undergone changes in its original, natural character, both with regard to its place of origin (AO) and to its original chemical composition; this is the way in which a cultural, ethnic good is stripped of its natural, original attributes and characteristics.

⁵ Rogelio Luna Zamora, "Disyuntivas del patrimonio del tequila en la era neoliberal," Contreras Delgado and Ortega Ridauro, comps., *op. cit.*, pp. 29-30.

⁶ World Intellectual Property Organization (WIPO), <http://www.wipo.int/lisbon/en/general/>. In his text, Luna Zamora, *op. cit.*, refers to the book by José Luis Muria, *El tequila. Boceto histórico de una industria* (Mexico City: Universidad de Guadalajara, 1990), p. 30.

⁷ Luna Zamora, *op. cit.*, p. 22.

⁸ Consejo Regulador del Tequila (CRT), Mexico City, <http://www.crt.org.mx>, accessed December 4, 2011.

⁹ Rogelio Luna Zamora, *La historia del tequila, de sus regiones y sus hombres*, Chapter 7 (Mexico City: Conaculta, 2002),

¹⁰ Luna Zamora, "Disyuntivas del patrimonio," *op. cit.*, p. 36.

¹¹ CRT, *op. cit.*

¹² Luna Zamora, *op. cit.*, pp. 35-36.

¹³ See "Puede llevar el nombre, sólo si tiene sangre azul," *Excelsior*, Mexico City, August 29, 2006, p. 2. However, in my opinion, the real agave landscape is even larger than what the UNESCO currently certifies; to that definition should be added elements like the way in which the raw materials are cultivated, the ancestral, artisanal processes for making tequila; the brand names, some of which are centuries old; the bottle designs, in some cases true gems of craftsmanship; the foods that include tequila as an ingredient; and an endless number of diverse cultural manifestations intimately linked with the beverage (mariachi bands, *charro* rodeos, clothing, films, iconography, etc.).