

# 1 The Promise of Place

In May 2012, about a hundred people crammed into a conference room at the Hotel El Ejecutivo in Mexico City to debate proposed changes in the regulation of mezcal, a spirit distilled from the roasted heart of Mexico's native agave plant. It was a diverse group that included governmental officials, retailers, producers from all over Mexico, and even a group of American bartenders, whom I had come with. To casual observers, it likely sounded like another dry debate over governmental regulations. In late 2011, the Mexican government had unveiled proposals that would reserve the use of the word *agave* for producers inside government-designated regions, including specific regions reserved for tequila and mezcal. Proponents of the proposals argued that the latter would protect consumers by ensuring the quality and safety of distilled agave spirits. But the proposals made international headlines because the debate was about something much more profound. Critics contended that the proposals would protect the big tequila and mezcal companies that had pushed for them, and that they threatened small producers throughout Mexico, many of whom had been making distilled agave spirits for generations but which were not included in the protected regions.

Opponents organized quickly and convened two forums, one in Guadalajara and the other in Mexico City, in order to hear from those who had been excluded from the drafting of the original proposal. At the Mexico City forum, which I attended, the group spent a full workday trying to collectively develop an alternative set of standards. An official-looking gentleman in a dark suit took the floor. “These are artisanal producers, who come in sandals,” he said authoritatively. “If we include a thousand rules, the government is going to come and shut them down.”<sup>1</sup> The tension in the room was palpable as everyone waited to see how the small mezcal producers, identifiable by their cowboy hats and, in some cases, the aforementioned sandals, would react. One raised his hand. “No one can take away our rights,” he said. “We are all equal, and it is our right to defend what we do. And we are proud of it. . . . You need to have a little bit of respect, for us, the producers. We all know that the big companies have always gone above the laws; they have trampled us, but we are no longer in the sixteenth century. We are educated, and we want to do things in the best possible way.”<sup>2</sup> Many people applauded, while the governmental officials at the front of the room shifted awkwardly in their seats. Jorge Cruz, the owner of a high-end tequila company, was the first to respond. “I have more trust in a producer who is wearing sandals than in a person who is wearing the cowboy boots of an industry executive,” he said.<sup>3</sup>

The sentiments expressed in that meeting reflect a larger debate in Mexico, one with roots that reach deep into Mexico’s colonial past. It is a debate about what constitutes Mexico’s national “spirit”— a discussion about Mexico’s national liquor industries but also a conversation about the past and future of Mexico’s people. What is mezcal? Who has the right to produce mezcal, and how should that right be protected? What does mezcal have to do with being Mexican?

#### THE ORIGINS OF MEZCAL AND TEQUILA

For centuries, people in Mexico have battled over the right to make and sell mezcal and tequila, two of its most iconic products. The word *mezcal* comes from the Nahuatl words *metl* (meaning “agave”) and *ixcalli* (meaning “cooked” or “baked”). Colonial settlers used the word *mezcal* to refer to

the agave plants that indigenous populations in Mexico had consumed as food and in fermented beverages for thousands of years.<sup>4</sup> There are more than two hundred species of agave, a stubborn succulent that thrives in dry climates and is endemic to Mexico. Eventually, the meaning of *mezcal* shifted to refer to distilled agave spirits, which likely originated in the Colima volcanoes region in western Mexico. Scholars debate whether indigenous populations started distilling before the arrival of colonial settlers, but they agree that distillation became widespread in the seventeenth century. Mezcal producers (also known as *mezcaleros*) collected wild agave, roasted the agave hearts (*piñas*) in earthen pits, and then chopped the *piñas* and fermented the mash. This process could take several weeks. They then slowly distilled the fermented juice in wood-fired stills. Distilled spirits were subject to frequent and ongoing periods of prohibition by colonial authorities, which drove production into isolated rural regions. As distillation techniques spread southward into indigenous communities, and northward into mining centers and along trade routes, the *mezcaleros* adapted their techniques to each region.

Today, at least twenty species of agave are commonly used in the production of mezcal, with some studies finding upward of forty-two species.<sup>5</sup> The type of agave, production practices, and equipment used to make mezcal vary between regions. Of course, most people are familiar with the most famous version of mezcal: tequila, named after the town of Tequila in central Jalisco. In the late nineteenth century, the *tequileros* (the producers in and around Tequila) began to expand and industrialize, differentiating themselves from the *mezcaleros* in other parts of Mexico. Tequila is now made in huge factories, while thousands of small *mezcaleros* continue to make mezcal using methods similar to those employed by their ancestors.

#### PROTECTING AND DEFINING MEXICO'S SPIRITS

In the second half of the nineteenth century, people began referring to “mezcal from Tequila” simply as tequila. Recalling his travels through Mexico in 1854 and 1855, French writer Ernest Vigneaux noted that “just as [the town of] Cognac has given its name to French brandies in general, Tequila has given its name to the spirit mezcal.”<sup>6</sup> After a “mezcal brandy”

from Tequila and a “Tequila wine” were recognized, respectively, at the 1893 Chicago World’s Fair and in San Antonio in 1910, the name of the drink became increasingly synonymous with the name of the town.<sup>7</sup>

In the twentieth century, as the market for tequila grew, the tequileros sought protection from imposters outside Jalisco who were fraudulently attempting to pass off their products as tequila. In 1949, Mexico established the first official quality standard for tequila. The standard stated that tequila could be made only from one variety of agave (*Agave tequilana* Weber), cultivated in the state of Jalisco. But in practice, it did little to protect the tequileros from people who were trying to produce tequila abroad. In an attempt to solve this problem and legally establish tequila as Mexico’s national spirit, tequila became, in 1974, the first product outside of Europe to be protected by a denomination of origin (DO). DOs, established by national governments in the places where they are produced, confer on particular places the right to produce a food or drink. They also set rules governing how those foods or drinks must be produced. The DO for tequila gave distilleries in Jalisco and parts of four other states the exclusive right to produce tequila.<sup>8</sup> In 1994, the Mexican government established a DO for mezcal, defining where mezcal could be produced as well, despite the fact that *mezcal* is a generic term for distilled agave spirits. According to the DO, mezcal can be legally produced only in eight states: in all of Durango, Guerrero, Oaxaca, San Luis Potosí, and Zacatecas; and in parts of Guanajuato, Michoacán, and Tamaulipas.<sup>9</sup>

Advocates of the DOs and the corresponding quality standards argue that they protect Mexico’s cultural heritage, expand market opportunities, and ensure the reputation and safety of Mexico’s national spirits. However, my research shows that in practice, the institutions that regulate tequila and mezcal adopt a narrow and technical understanding of quality, one that focuses on maximizing economic efficiency and meeting the standards required for export markets. The regulations have not taken into account the perspectives of agave farmers, workers, and small tequila producers and mezcaleros. In addition, they exclude all of the producers who live outside the regions delineated by the DOs. One study found evidence of a history of mezcal production in twenty-four of thirty-one Mexican states and the Federal District of Mexico,<sup>10</sup> but the DOs for tequila and mezcal include territories in only ten states.

The debates that I document and analyze in this book are intensely Mexican. At the same time, the conflicts taking place over tequila and mezcal mirror unfolding debates about the production (and protection) of foods and drinks throughout the world. In recent years, traditional foods and drinks have emerged as profitable and politically salient alternatives to the perceived homogenizing effects of globalization. Initiatives like the Slow Food movement and DOs attempt to “rescue eating establishments, dishes, and products from the flood of standardization” engendered by the industrial food system.<sup>11</sup> In doing so, they strive to support the rural communities, farmers, and processors involved in the production of traditional products. And yet, as my research shows, efforts to regulate Mexico’s iconic spirits illustrate the limitations of relying on alternative markets to protect food cultures and the livelihoods of those who produce them. My work demonstrates how cultural symbolism can be manipulated to perpetuate and deepen long-standing inequalities along global commodity chains.

In this book, I investigate the process of using DOs to protect and certify Mexican spirits. I do so by telling the stories of tequila and mezcal: the stories of the people who make them, the institutions that regulate them, and the retailers and consumers who buy and sell them. This book chronicles my work over the past ten years, a project that took me into the living rooms and kitchens of agave farmers and day laborers and to the glitzy offices and gleaming factory floors of tequila companies. It also took me to small mezcal distilleries and trendy mezcal and tequila bars from Oaxaca City to New York. In total, I visited more than thirty distilleries—from tiny family mezcal distilleries perched on mountain bluffs and almost hidden by the surrounding forest, to huge industrial tequila factories. And I participated in mezcal and tequila tastings, agave farmers’ meetings, academic conferences, and forums organized by governmental organizations and the Tequila Regulatory Council. This book uses the stories of these places and these people to investigate the politics of protecting local products in a global market.

#### FOOD FROM SOMEWHERE

In a modern global food system characterized by “distance and durability,”<sup>12</sup> we can get tomatoes in the middle of winter; but many people have

never had the sublime experience of biting into a ripe garden tomato on a hot August day. Agribusiness firms rely on global sourcing strategies, and contract arrangements are used to integrate farmers into what is essentially an industrial enterprise, in which hybrid seeds are combined with chemical inputs, and information technology is used to coordinate multiple production sites spread across the globe.<sup>13</sup> And in a context in which our food comes to us from “a global everywhere, yet from nowhere . . . in particular,”<sup>14</sup> people are trying to find ways to connect with the people—and the places—that produce their food.

Today, within just a few miles of my house in North Carolina, I have my pick of more “farm-to-table” restaurants than I could count on one hand. At these places, rotating chalkboard menus offer seasonal specialties, like fried pickled shrimp from the coast paired with an aioli made with ramps harvested in the mountains, or a salad that combines watermelon from the local farmer’s market with farmstead goat cheese from a few counties over. The number of farmers’ markets in the United States has exploded in the last twenty years; according to the U.S. Department of Agriculture, there are now more than eight thousand scattered in tiny towns and big cities all over the country.<sup>15</sup> On-farm dinners and farm tours offer city dwellers the opportunity to see how working farms operate. Community-Supported Agriculture, another model, allows consumers to “invest” in a farm, paying upfront and then getting a weekly delivery of produce. Where I live, there are also community-supported fisheries, where customers get weekly deliveries of fresh fish and shellfish from the North Carolina coast. Even the grocery stores where I shop are trying to connect customers with the farmers who grow their produce. They hang huge color photographs of farmers over the coolers where I buy otherwise indistinguishable bags of apples or lettuce, inviting me to “meet my neighbors” who grow and make my food.

The posters at my grocery store are an example of how people who do not literally “know their farmer,”<sup>16</sup> as the Department of Agriculture tells us we should, can still have a sense of “knowing their food”: by hearing the story of how their food was grown. In contrast to the “food from nowhere” regime,<sup>17</sup> which operates on invisibility, obscuring the social and environmental bases of food production, the “food from somewhere” regime renders the food supply more visible in response to increased consumer

demand for traceability.<sup>18</sup> The “food from somewhere” regime is characterized by wealthy consumption niches, complex new forms of auditing and inspection, and emblematic new products, from certified organic to fair trade. This new set of relations operates globally, in that it makes “local production conditions visible over global-scale distances,” as in the case of Kenyan organic green beans that are audited by European certifiers and then sold through Swiss food cooperatives.<sup>19</sup>

In this context, the French notion of *terroir*—literally translated as “region” or “earth” and understood as evoking the relationship between a product and the land, soil, and specific place that it comes from—has become increasingly salient. *Terroir* conveys the taste of place. As Starbucks put it in advertisements for their single-origin coffees, *terroir* is the idea that “geography is a flavor.” As a legal concept, DOs, which originated in France but have now been exported around the world, are based on the belief that the environmental and cultural characteristics of particular places—their *terroir*—are translated into the tastes of the foods and drinks produced there and, moreover, that they deserve to be protected.

Because DOs link the production of agricultural goods to particular local places, but allow these goods to be traded in global markets and require protection by national and global institutions, DOs embody what some scholars refer to as *glocalization*. This term emphasizes how local cultures and global institutions mutually shape each other.<sup>20</sup> Many scholars have focused on how DOs embed food systems in their social and ecological contexts, drawing on Karl Polanyi’s notion of economic embeddedness. Sociologist Elizabeth Barham argues that “by insisting upon a strong link in production to the ecology and culture of specific places, [DOs] re-embed a product in the natural processes and social context of its territory.”<sup>21</sup> Another rural sociologist, Henk Renting, and his colleagues argue that DOs constitute “short food supply chains” that have the capacity to “resocialize or respatialize food” by increasing the transparency of the people, places, and processes associated with particular foods.<sup>22</sup> Advocates of DOs maintain that focusing on *terroir* opens up possibilities for an engagement with the “place of food” that goes deeper than simply measuring the distance between producers and consumers.<sup>23</sup>

## TERROIR, TRADITION, AND COMTÉ CHEESE

When people want to show how protecting terroir can benefit farmers and rural regions, there is one case that they often come back to: Comté cheese. Although many Americans have not heard of it, Comté is France's best-selling DO cheese, outpacing even the famous Roquefort. Produced in eastern France, in the rolling hills and valleys of the Jura Mountain region near the Swiss border, Comté is an aged cheese made in huge wheels from cow's milk pooled from dairy cooperatives known as *fruitières*. In 2007, I traveled to France to learn more about Comté and the people who made it. I spent five months living in Poligny, a small town in the heart of the Jura region, where I interviewed people involved with the production of Comté cheese: farmers, cheesemakers, *affineurs* (the people who care for and age the cheese), governmental officials, and people who worked at the Interprofessional Committee for Gruyère from Comté (CIGC, according to its French acronym), the collective organization that sets the rules with which producers must comply. The stories I heard gave me an appreciation for just how powerful a development strategy built around terroir could be.

Although cheese has been produced in the region for close to a thousand years, for most of that time cheese was mainly made for local consumption.<sup>24</sup> After World War II, farmers and cheesemakers began looking for a way to protect themselves from imposters from other regions. In 1958, Comté became only the second French cheese name (after Roquefort) to be recognized with an "appellation of origin" (France's version of the DO).<sup>25</sup> The CIGC was formed in 1963 to regulate the Comté label and determine the rules of production.

Because of its reputation as one of France's most traditional cheeses, Comté is adored by French and European governmental officials, academics, and retailers. However, this wasn't always the case. Some older farmers told me that in the 1970s, the French government, like the U.S. government, began pushing a strategy of industrialization, encouraging concentration among the cooperatives in order to increase efficiency and foster economies of scale. Cheese producers in other parts of France followed suit; but the Comté producers and the CIGC decided to pursue the opposite path, instead gradually adding rules to create obstacles to industrialization. For example, they required that Comté be produced with raw



milk and prohibited the use of corn silage in the cows' feed; later, they established rules that the milk had to come from within 25 kilometers (about 15.5 miles) of the *fruitière* and which required that each cow have a minimum of one hectare (about 2.5 acres) of pasture.

The Comté producers' forward-thinking efforts paid off. Largely because of the strict rules, concentration has proceeded more slowly among Comté's farms and cheesemakers than among other French cheese producers. Today, about twenty-seven hundred dairy farmers are organized into 150 *fruitières*.<sup>26</sup> The cooperatively managed *fruitières* produce the majority of Comté cheese, accounting for about 85 percent when I was there.<sup>27</sup> After the *fruitières* collect the milk from the dairy farmers, cheesemakers make huge, ninety-pound wheels of Comté. The cheese is then aged for a minimum of four months by one of sixteen *affineurs*.<sup>28</sup>

Comté producers believe that the large number of small *fruitières* accounts for the diversity of flavors in their cheese. The CIGC has tried to preserve this link to *terroir*, which consumers are willing to pay big money for. One fancy New York cheese shop, where Comté sells for twenty-five dollars a pound, advertises that they handpick each wheel of Comté from a specific *fruitière* in order to capture "the essence of raw, mountain pastured cow milk."<sup>29</sup> In France, an *affineur* whom I interviewed confirmed the cheese shop's claim, explaining, "We allow our clients to choose not only the age of the cheese but also the providence of the cheese. Our clients become loyal to a taste that is very specific and tied to a particular village."<sup>30</sup>

Focusing on *terroir* has turned out to be a highly profitable strategy, and it was possible only because the Comté producers went against the dominant advice in France (and around the world) in the 1980s. The *affineur* said that the owner of his company had been one of the first people in the region to promote the link between the *terroir* and the taste of the cheese. Now, he said, almost everyone in the industry recognized that their job was to "translate" the *terroir* of particular places. He explained, "When we are working with raw milk, we give the milk the right to express its entire life, until the moment that it becomes cheese. We do not intervene in order to steer it into a specific taste. . . . The more slowly we refine the cheese, the more it is going to express the specific characteristics from its region of origin."<sup>31</sup>

This collective belief in *terroir* frames the individual interests of the farmers, cheesemakers, *fruitières*, and *affineurs* in ways that are mutually

reinforcing. Comté's link to terroir also helps prevent industrial cheesemakers from intruding into the industry. French cheese producers are not immune from the pressures of industrialization and globalization. Industrial cheese companies have encroached on other French cheese supply chains.<sup>32</sup> But in the Comté case, the rules impede an industrial model and discourage the large companies from getting involved. Another affineur told me, "Because of the terroir and the aging process, Comté has a thousand faces. This is the strength of Comté, and it allows us to resist takeover from the big companies."<sup>33</sup>

Comté's success is largely due to the CIGC's efforts to preserve the link to terroir. Comté is France's highest-volume DO cheese, with almost sixty thousand tons produced in 2013.<sup>34</sup> Comté farmers receive a price for their milk that is consistently higher than the average milk price in France.<sup>35</sup>

There are other positive outcomes associated with the Comté DO. One study found that because Comté cheese is made mainly by small farmers and cheesemakers, it generates five times more jobs per liter of milk than the production of Emmental, an industrial cheese without DO protection.<sup>36</sup> Rates of migration away from the Comté region are much lower than in other parts of France, owing not only to the price premiums and additional jobs associated with the production of Comté but also to revenue deriving from tourists who come to see the *fruitières*, the caves where the cheese is aged, the Comté museum in Poligny, and other places along the "Comté trail."<sup>37</sup>

In addition to creating jobs in the region, the Comté DO has had a positive effect on the local environment. Because of the strict specifications that farmers are required to meet, dairy farms in the Comté region are more extensive—meaning, in the words of the CIGC, that instead of focusing on maximizing yields, they focus on "quality, taking into account soil characteristics and the diversity of plant species and microflora"—than in other parts of France.<sup>38</sup> One *fruitière* can have as many as 160 different prairie species (grasses, flowers) for the cows to consume.<sup>39</sup> Because farmers and cheesemakers believe that the diversity of native plant species in the cows' diet is an important contributor to the quality of Comté cheese, the DO has helped maintain biodiversity in the region.

I left Poligny inspired by what DOs could do—for farmers, rural regions, and local environments. It wasn't all that surprising that the archetype for a successful DO would come from France, which has the oldest and best-

developed system of DO protection in the world. Comté is exceptional in France as well; Comté producers have consistently sought to differentiate their cheese through a stronger commitment to quality, tradition, and terroir than we see in other French DOs. But because the cultural and political systems that undergird DO protection in France have been so influential, it's important to start with France when thinking about how policies to protect DOs have developed and evolved over time.

#### CREATING THE TASTE OF PLACE IN FRANCE

The idea of terroir has a long history in France. In the seventeenth century, French agriculturalist Olivier de Serres wrote that “the fundamental task in agriculture [was] to understand the nature of the terroir, whether it is the land of your ancestors or land recently acquired.”<sup>40</sup> In 1789, French historian Pierre Jean-Baptiste Le Grand d’Aussy discussed how the diversity of French cuisine was fundamentally rooted in “what nature has seen fit to allow each of our provinces to produce.”<sup>41</sup> In his culinary classic *La Physiologie du Goût* (The Physiology of Taste), Jean-Anthelme Brillat-Savarin writes that the ability to trace certain tastes to their natural origins is a “point of perfection.” He asks, “Have we not plenty of *gourmands* who are able to indicate the latitude under which a wine has ripened, as certainly as a pupil of Biot or Arago can foretell an eclipse?”<sup>42</sup>

All of these descriptions frame terroir as an objective reality: the way the attributes of the physical environment—soil, weather, and topography—created the distinctive tastes of French wines and cheeses. However, as anthropologist Amy Trubek explains in *The Taste of Place: A Cultural Journey into Terroir*, it was ultimately France’s food culture, more than the natural environment, that created the *goût* (or taste) of terroir. Starting in the early twentieth century, a group of influential French tastemakers, including journalists, cookbook writers, and chefs, along with taste producers like cheesemakers and winemakers, began working to advance the notion of terroir. By creating a “language of taste” that linked places, tastes, types of agriculture, and quality, these tastemakers shaped how people tasted wine and food. They also worked to protect and define certain forms of agriculture and French cuisine. Trubek writes, “These men and women

observed their world and decided to champion certain practices (small farms, regional dishes) and values (tradition, local taste) in order to make sure that they did not disappear. . . . What they did was to create a vision of agrarian rural France and convincingly put it in people's mouths."<sup>43</sup>

The 1855 Bordeaux wine classifications were the first attempt to link the quality of wines to their place of origin, but these were developed by wine brokers (to rank wines for the Exposition Universelle de Paris), not by the state.<sup>44</sup> The 1883 Paris Convention on Intellectual Property and the 1891 Madrid Agreement for the Repression of False or Deceptive Indications of Source of Goods represented the first efforts to create forms of international protection for place-based goods.<sup>45</sup> Around the turn of the twentieth century, French winemakers began lobbying the French state for stronger protections.<sup>46</sup> The first law tying production of a food or drink to a particular place, which was passed in 1905, aimed to protect against fraud.<sup>47</sup> Winemakers from Champagne were the first to use it. This marked the beginning of the concept of *appellation d'origine* (appellation of origin), a system that first protected and promoted French wine and which was eventually extended to cheese and other products.

Over the years, French laws on appellations of origin have been modified to become more specific and address perceived shortcomings of the 1905 law. A revision made in 1908 clarified that protection should be granted to products with a "local and constant" association with a region.<sup>48</sup> In 1919, another iteration stated that delimitations were to be made based on "local, loyal, and constant" associations between places and products.<sup>49</sup> But the law was enforced through court cases, which dragged on and were not very effective. In 1935, a revised law established the concept of *appellation d'origine contrôlée* (controlled appellation of origin, the term used today), a change in nomenclature that signaled an increase in control and regulation of the process.<sup>50</sup> Furthermore, although the earlier laws had considered only provenance, the 1935 law clarified that the appellations now protected not only the geographical origin of a product but also the characteristics that contributed to its quality and authenticity.<sup>51</sup> Geneviève Teil, a French researcher, notes that as regulations regarding the viticultural and wine-making process were gradually developed, the French state was careful not to define restrictions excessively, in order to "leave room for desirable technical innovations which could arise in the future."<sup>52</sup> At the same time, geographer Warren Moran

notes that in some cases the appellation laws for French wines “go as far as specifying the spacing of the vines and the methods of trellising and pruning.”<sup>53</sup> The organization charged with monitoring and determining the “conditions of production” is the National Institute for Appellations of Origin, part of the French Ministry of Agriculture; it too was established in 1935.<sup>54</sup> French law stipulates that controlled appellations of origin protect the name of a place (country, region, or locality) used to designate a product that originates in that place, when “the quality and characteristics” of that product are “due to the geographical environment, including both natural and human factors.”<sup>55</sup> Many national, regional, and international agreements are based on the French model. Spain adapted its wine statute to protect *denominaciones de origen* (denominations of origin) for wines in 1932, and extended protection to other agricultural products in the 1970s.<sup>56</sup> Italy established a similar classification—*denominazioni di origine* (denomination of origin)—for dairy products in 1954 and for wine in 1963.<sup>57</sup>

In 1958, the Lisbon Agreement established the most comprehensive multilateral agreement on DOs to date. It created an international system of registration and protection of DOs, adopting a definition of DOs that was similar to the French definition.<sup>58</sup> The Lisbon Agreement provided for the registration of DOs that were “recognized and protected as such, in their own country of origin.”<sup>59</sup> Nine countries signed the original agreement in 1958; today, there are twenty-eight “contracting parties.”<sup>60</sup>

At that time, even in France and other parts of Mediterranean Europe, there were relatively few DOs, although many of the world’s most famous DOs—champagne, of course, and also Roquefort, Rioja wine, and Parmigiano-Reggiano cheese—have been protected since before the establishment of the Lisbon Agreement. Starting in the 1990s, however, the taste for terroir began to take off, first in France and then around the globe. In France, a surge of interest in what French historian Jacques Revel called *patrimonialisation*—the effort to trace and commemorate all things related to French history and heritage—developed and extended to natural places, landscapes, and traditional foods.<sup>61</sup> Elizabeth Barham explains that the movement stemmed from French consumers’ “malaise” with modernization and globalization, as well as from escalating concerns over recent food safety scares.<sup>62</sup> But the surge of interest in terroir was also “a conscious and active social construction of the present by various groups concerned with

rural areas in France.”<sup>63</sup> Public intellectuals, urban consumers, and agricultural organizations banded together to protect rural landscapes, traditional foods, and other elements of national and regional heritage.<sup>64</sup> According to geographer Daniel Gade, these efforts to rescue “authentic agricultural products” with “strong identities” could be seen as a “salvage effort akin to preserving a language or plant species from extinction.”<sup>65</sup> France led the world in the effort to protect and promote traditional and authentic foods and drinks, and this effort centered on the notion of *terroir*.

For consumers, *terroir* helped anchor French consciousness to its rural roots.<sup>66</sup> Amy Trubek describes taste as a form of local knowledge in France, explaining that the French still retain a powerful connection to the land of their ancestors, and that they evoke the taste of *terroir* in order to “remember an experience, explain a memory, or express a sense of identity.”<sup>67</sup> For French farmers and food producers, and for the French state, promoting and protecting the link to *terroir* is also an economically salient strategy. French farms are relatively small: 129 acres, on average, or about one-fourth the size of an average American farm.<sup>68</sup> As a group, however, French farmers are economically and politically powerful. France is the biggest agricultural producer in the European Union, with 18 percent of Europe’s total agricultural output.<sup>69</sup> France also receives the biggest share of the European Union’s agricultural subsidies. In debates over the regulation of food and agriculture, both within the European Union and globally, French farmers play an important role.

French farmers have made their crusade against the homogenizing forces of globalization a central part of their discourse. In 1999, a group of French farmers made international headlines when, led by activist farmer José Bové, they dismantled a McDonald’s that was being built in the southwestern French town of Millau. The farmers, producers of Roquefort cheese, were protesting the United States government’s decision to impose a 100 percent import tax on certain European “luxury” goods in retaliation for the European Union’s ban on hormone-treated U.S. beef. They framed their campaign as representing fair trade, the right to good food, and the “local,” in contrast to mass-produced, globalized “food from nowhere.”<sup>70</sup> “My struggle remains the same,” declared Bové as he handed himself over to French police: “the battle against globalization and for the right of people to feed themselves as they choose.”<sup>71</sup> As French studies scholar Sarah Waters notes,

the farmers that Bové represented were a marginal, obscure farmer's union, but they managed to mobilize a campaign with broad appeal because of their symbolic power. Waters argues, "Where globalization was experienced as ceaseless change and upheaval, peasant farming was presented as a symbol of tradition and continuity, one that anchored the French to their past and to a shared cultural legacy."<sup>72</sup> Explained Philippe Folliott, the mayor of a town in the region, "Roquefort is made from the milk of only one breed of sheep, it is made in only one place in France, and it is made in only one special way. . . . It is the opposite of globalization. Coca-Cola you can buy anywhere in the world and it is exactly the same."<sup>73</sup>

Bové and his fellow farmers counterposed an image of terroir and tradition—"a whole symbolic universe linked to peasant farming" against images of the evils of globalization, ever-expanding markets, the increasing dominance of multinational corporations, and mass agricultural production.<sup>74</sup> But while Bové and others framed terroir as antithetical to globalization, it is precisely because of terroir's value in the global marketplace that DOs are so popular—and so controversial.

#### THE WAR ON TERROIR

Because of its economic and symbolic power, terroir has emerged as a key issue within international trade negotiations.<sup>75</sup> From its origins as an obscure clause in the 1947 General Agreement on Tariffs and Trade, terroir has moved to the forefront of transatlantic trade negotiations.<sup>76</sup>

The economic stakes associated with terroir are high: by granting a monopoly over the right to use a name like "champagne" or "Roquefort," DO protection can confer substantial rents to producers. Further, in the face of global pressure to cut agricultural subsidies and eliminate trade barriers, DO protection gives governments the opportunity to provide economic support to farmers.

International conflicts over the regulation of DOs have ramped up since 1994, when, under the 1994 Agreement on Trade-Related Aspects of Intellectual Property, the World Trade Organization legally defined "geographical indications," the generic term used to refer to the various institutions that protect terroir (e.g., appellation of origin, denomination of

origin).<sup>77</sup> (Although international debates generally refer to “geographical indications,” I have chosen to use the term used in Mexico, *denominations of origin*, throughout this book in order to maintain consistency.) In bilateral and multilateral trade negotiations, the United States and its allies have argued that enforcing protection of DOs violates principles of free trade and threatens to incur exorbitant costs, while the European Union frames its position in terms of DOs’ potential to protect local food cultures and offer a stronger quality guarantee to consumers.<sup>78</sup> Some arguments have gotten quite heated. In 2014, more than half of the members of the United States Senate, on both sides of the aisle, joined together to urge the Department of Agriculture and the United States Trade Representative to fight the European Union’s attempts to prevent American dairy producers from using cheese names like “Parmesan” and “feta.” “They are trying to take our nouns from us,” said the executive director of the Wisconsin Cheese Makers Association. “They are trying to create new barriers to trade by stealing their [cheese] names back.”<sup>79</sup> Not so, argued the Europeans. The Italian deputy minister of economic development stated that DOs are “meaningful tools to protect freedom of enterprise and freedom of consumers.” He contended that the regulation of DOs had allowed countries like Italy and France, and later the European Union and the World Trade Organization, to “combine historic craftsmanship in food and wine with a modern capitalist economy.”<sup>80</sup>

The European Union’s position rests on being able to argue that DOs are not merely a form of French or European exceptionalism. In other words, the European Union needs to be able to show that DOs are not just a way to protect European goods at the expense of the rest of the world. So, in recent years the European Union has, as legal scholar William Kerr puts it, begun to “beat the development drum,” arguing that DOs are a viable rural development strategy not only for European farmers but also for farmers around the world, especially in developing countries.<sup>81</sup>

#### BENEFITS OF PROTECTION

Empirical analyses have focused on the impacts of DO protection in three main domains: for farmers, rural regions, and the environment. First, economists argue that DO protection confers a “reputation rent,” a price



premium that consumers pay for DO products on the basis of the collective reputation of the product and the region. They debate why consumers are willing to pay a premium; some argue that it is due to the quality standards that DO producers are required to meet, while others claim that consumers' bias for goods from a particular place explains their preferences for DOs.<sup>82</sup> Others contend that consumer demand for DOs is linked to perceptions of DOs' authenticity, heritage, and traceability.<sup>83</sup> In any case, economists explain that price premiums are a necessary, but not sufficient, condition of a successful DO.<sup>84</sup> One analysis, of 134 observations collected from twenty-two studies, found that, on average, DO protection conferred a 15 percent price premium over standard products.<sup>85</sup> A comparison of thirteen European DOs with their standard counterparts came to a similar conclusion, finding that DO protection was associated with price premiums in almost all cases.<sup>86</sup> However, both studies also observed considerable variability in the extent of price premiums, with some DOs receiving substantial premiums and others receiving none.

Second, scholars argue that the benefits of DO protection extend beyond the farm and the processors, to rural regions more broadly. Researchers have shown how DOs create employment opportunities, both directly (for the people involved in the production of the DO) and indirectly (through associated industries like tourism).<sup>87</sup> One study found that the labor-intensive practices associated with production of Parmigiano-Reggiano cheese created more employment opportunities than existed for comparable, industrial cheeses.<sup>88</sup> DO protection can also promote the clustering of synergistic activities in a region. For example, the region around Parma, Italy, is home not only to Parmigiano-Reggiano cheese but also to another famous DO, Parma ham, made from pigs that are fed a blend of grains and whey from Parmigiano-Reggiano cheesemakers.<sup>89</sup>

Finally, a third perspective focuses on the environmental benefits of DO protection, with a particular emphasis on how DOs help preserve biodiversity. For example, one study showed how, in France, the DOs for Ardèche chestnuts and calvados (an apple-and-pear brandy) have helped protect local varieties of chestnuts, apples, and pears, as well as traditional practices for managing the trees.<sup>90</sup> A comparison of eight European DOs found positive results in reference to biodiversity conservation and maintenance of cultural landscapes, although the study also found that

processes of agricultural intensification, which negatively affected the environment, were present and possible under DO protection.<sup>91</sup>

If success is measured in terms of the political and economic power of DOs, then the “terroirists,” as some jokingly call them, have succeeded. In 1992, the European Union established a pan-European system of regulating “protected designations of origin” (PDOs, which are virtually identical to the French definition of controlled appellation of origin) and “protected geographical indications” (PGIs, which are not as strict).<sup>92</sup> Since the establishment of these labels, 867 PDOs and PGIs for food products have been registered in the European Union, as well as more than 1,900 for wines and spirits, which are protected under separate legislation.<sup>93</sup> The total value of all of the registered PDOs and PGIs for wines, spirits, and agricultural products in Europe exceeds €50 billion, with France and Italy alone accounting for 60 percent of this value.<sup>94</sup> The Organization for an International Geographical Indications Network (oriGIn), founded in 2003, is a nonprofit advocacy organization that now represents more than four hundred associations of DO producers and other DO-related institutions from 40 countries.<sup>95</sup> One report found that 167 countries actively protect DOs as a form of intellectual property.<sup>96</sup>

Because of the proliferation of European DOs,<sup>97</sup> most of the existing research on DOs has focused on European cases. And yet policy makers argue that DO protection represents a viable development strategy for countries all over the world. The International Trade Center, a joint agency of the World Trade Organization and the United Nations, conducted a comprehensive study of DO protection around the globe and concluded that while DOs will not work in all contexts, DOs are “an integral form of rural development.” According to the International Trade Center report, DO protection “offers a valuable framework for powerfully advancing commercial and economic interests while potentially integrating local needs that are anchored in cultural tradition, environment and broad levels of participation.”<sup>98</sup>

#### TRANSLATING TERROIR FOR THE WORLD

Europe has invested a lot in spreading the gospel of terroir around the world. The European Union now allows producers from non-European

countries to apply to the European Commission for protection of their goods as PDOs or PGIs.<sup>99</sup> The European Union and individual European countries like France and Italy have also directed considerable resources to the promotion of DOs in developing countries, as I had the opportunity to observe several years ago.

While I was still a graduate student, I was invited to teach one of the sessions at an intensive course on DOs that had been organized by a group of French and Swiss governmental organizations. The course, held in an old castle in a picturesque small town on the shore of Lake Geneva in Switzerland, brought together governmental officials and representatives of producers' organizations from many countries: Brazil, Honduras, India, Indonesia, Kenya, Mongolia, Serbia, and South Africa. Over an intensive two-week period, European experts gave presentations on the legal, economic, social, and organizational aspects of DO protection. Participants in the course also went on field trips to study Switzerland's DOs, visiting a mill and bakery that made Valais rye bread and talking with producers of Gruyère cheese.

My session came at the end of the course, and I was nervous about how it would go. The other presenters were experts in their fields, people who had been studying DOs for years, while I was just a graduate student. But I shared what I had learned so far about the challenges that tequila producers and agave farmers were facing: the farmers' struggle to get a fair price for their agave, how tequila was becoming increasingly indistinguishable from other industrial liquors, and how the Mexican government didn't seem to be doing much on behalf of the farmers or the small distilleries. Afterward, as we ate a delicious lunch overlooking the castle gardens, and over cocktails at the closing dinner that night, people kept coming up to me and telling me how much they had appreciated my presentation. The other sessions had been so positive, they said. They were worried that what had worked in France or Switzerland wouldn't translate as well in their countries, where the farmers were smaller and poorer and the governments were strapped for organizational and financial resources.

My research in Mexico, and conversations that I have had over the years with producers and governmental officials from all over the world, have convinced me that we need to be careful when thinking about how

the “taste of terroir” might apply to developing countries. But if anything, efforts to promote and protect products that are linked to terroir have only ramped up in recent years. In 2014, the intensive course on DOs was offered for the eleventh time, with participants paying forty-five hundred euros to attend. The Food and Agriculture Organization of the United Nations has made promoting DOs one of its main foci. The organization has hosted seminars around the world (in Chile, Costa Rica, Guinea, Morocco, Serbia, and Thailand), bringing together high-level governmental representatives and researchers in order to determine how governments and stakeholders can work together to promote regional products. It also published a guide and even created an online tool to help stakeholders determine the best way to set up protective arrangements for their products.

All these efforts appear to be paying off. In the last twenty years, many countries have passed legislation on DOs, with Brazil and Peru establishing policies on DOs in 1996, followed by South Korea and India in 1999, Columbia in 2000, and Chile in 2005, to name just a few. The European Union’s list of protected products now includes Columbian coffee, rice from Thailand, Darjeeling tea from India, and several products from China, including apples, tea, and garlic.<sup>100</sup> In 2013, the African Intellectual Property Organization, an organization representing sixteen countries, recognized its first three DOs: for Oku honey and Penja pepper from Cameroon and for Ziama Macenta coffee from Guinea.<sup>101</sup> A comparison of DOs around the world concluded with the observation that the growing popularity of DOs reflects “not only the high economic stakes involved” but also the perception—by both producers and governmental officials—that DOs are a “useful rural development strategy.”<sup>102</sup> Luis Fernando Samper, an official at the Columbian Coffee Federation and the former president of oriGIn, argued that that DOs were “the best legal tool for the protection” of foods and drinks that derive from developing countries.<sup>103</sup>

#### A MODEL FOR DEVELOPMENT, OR BUSINESS AS USUAL?

Not everyone is so sanguine about the presumed benefits of DO protection. Legal scholar William Kerr cautions that while the European Union’s

strategy of promoting DO protection in developing countries may be a good negotiating tactic, it is “cynical manipulation of developing countries at worst and naïve meddling in the affairs of poor countries at best.”<sup>104</sup> According to Kerr, although short-term rents may accrue to producers of established DOs in the European Union, “the case for similar rents accruing to producers in developing countries is weak.”<sup>105</sup> He concludes that this approach may thus “lead to developing countries wasting their limited resources chasing an illusive dream.”<sup>106</sup>

Kerr is not the only person to warn that DOs are not a panacea. Sociologist Michaela DeSoucey argues that DOs are a form of gastronationalism, a process in which states make strategic claims about the idea of nation as a protector of cultural patrimony within a neoliberal and globalizing context. She sees gastronationalism as “part of a broader identity project unfolding across Europe and the world that is responding to potential losses of control of production and national industries, accelerated by global moves toward open trade.” As states engage with their citizens by promoting national belonging and price, says DeSoucey, “gastronationalism ties to, and potentially substitutes for, attention paid to other changes” that are associated with globalization, such as income inequality, the erosion of the welfare state, and increased migration.<sup>107</sup> In other words, gastronationalism potentially represents a way for nation-states to distract consumers, interest groups, and industries away from deeper changes and broader inequalities, by highlighting a collective national identity centered on the cultural traditions and places associated with certain foods and drinks.

Other scholars have analyzed the process by which decisions about DO protection are made and the underlying power relations. Marion Fourcade, a sociologist, argues that the rigid system of qualifications that characterizes the logic of terroir—the rationale upon which DOs are based—emerged out of “political conflicts over the economic advantages” derived from wine commerce.<sup>108</sup> According to Fourcade, the DO system relies “on an elusive quest for quality to create market rents for wines,” by anchoring status distinctions through nature.<sup>109</sup> Geographer Kenneth MacDonald notes that the process of qualifying certain products as culturally unique often leads to the reorganization of practices, environments, and communities in order to meet the multiple and often contradictory demands of

the different people and institutions involved in the production and consumption of these goods.<sup>110</sup> Tad Mutersbaugh, another geographer, argues that, in general, values-based standards (including organic and fair trade certifications and DOs) constitute a form of policy rent that helps high-capacity producer groups increase their income-earning potential relative to other, less organized groups.<sup>111</sup> Dwijen Rangnekar, a law scholar, contends that DOs necessarily involve a contradiction: they seek to preserve and celebrate cultural processes that have stabilized in a particular place, but they “inherently involve transformation through the importation of a global institution.”<sup>112</sup>

Some critics argue that DOs, instead of representing an alternative to the standardizing and commodifying tendencies of the global marketplace, exemplify neoliberal regulation. Geographer Julie Guthman states that, in keeping with neoliberalism’s “fetish of market mechanism,” DOs and other values-based labels “not only concede the market as the locus of regulation” but also “employ tools designed to create markets.” They are governed by a complex array of institutions, at a variety of scales, that “subscribe to notions of audit and transparency as ‘action at a distance.’” They also “extend property rights to practices where none previously existed, entail forms of enclosure that produce scarcity, attach economic values to ethical behaviors, and, finally, devolve regulatory responsibility to consumers.”<sup>113</sup> Guthman argues that because these labels fundamentally shift responsibility for the social and environmental consequences of food production from the state to individual consumers, they are “a far cry from the politics of social protection” associated with Polanyi’s double movement.<sup>114</sup> Other scholars agree that DOs epitomize the characteristics of neoliberalism: privatization, marketization, and regulation of formerly public goods.<sup>115</sup>

Scholars and policy makers also raise questions about whether DOs are a viable tool for addressing inequality and persistent poverty, especially in developing countries. Many note that little research has examined the effect of DOs on social and economic differentiation within regions and along supply chains. As anthropologist Sarah Besky aptly puts it, “justice,” as defined by DO regulations, comes in the form of new property rights that protect the name of the DO. “But who [is] this justice for?” asks Besky.<sup>116</sup> Market success does not guarantee that the benefits of protec-

tion will trickle down to others in the region or even everyone along the supply chain.<sup>117</sup> Small farmers and processors may have difficulty meeting the requirements of certification, and this could actually increase concentration along supply chains and push small producers out of business.<sup>118</sup> In addition, there is potential for the most powerful groups within the supply chain to appropriate images of tradition and place for their own benefit, to the exclusion of others.<sup>119</sup> Furthermore, wage laborers are often made invisible by DO regulations and conceptualizations of terroir.<sup>120</sup> And scholars note that evaluations of the impact of DOs need to consider gender relations, including “who grows and produces what” in diverse family and social structures.<sup>121</sup>

Existing research on the distribution of the benefits of DO protection supports this skepticism. A recent comparison of thirteen European DOs found that although almost all of them were associated with a price premium, the farmers who produced the raw materials often received no premium.<sup>122</sup> The study found that products with certain characteristics tended to generate higher premiums for farmers.<sup>123</sup> But researchers also noted that the evidence was conflicting and offered few straightforward lessons on what worked better for farmers.<sup>124</sup> A comparison of twenty-one European DOs found that although several conferred substantially higher prices on farmers, the “contrasting circumstances of other products” made it difficult to draw any conclusions on the ability of DO protection to foster rural development or improve farm incomes.<sup>125</sup>

Unfortunately, much of the existing research on the costs and benefits of DO protection has focused on European cases. We have good reason to expect that circumstances might be worse for farmers and producers in developing countries, where farmers have fewer economic resources, are less likely to be organized into a union or a cooperative, and receive less support from the state. A study of Chontaleño cheese, a DO cheese from Nicaragua, found that DO protection introduced new competitive pressures that reinforced local and foreign elites (large, industrial dairy farmers and cheesemakers) and made the situation worse for small farmers and cheesemakers.<sup>126</sup> In Peru, with \$2.4 million in aid from the United States, the Peruvian government launched a project to promote Chulucanas ceramics, protected as a DO since 2006.<sup>127</sup> But instead of revitalizing community pride in the techniques practiced by artisans in Chulucanas, the

DO weakened bonds of collective identity and led to increased distrust, price wars, and wage exploitation.<sup>128</sup> Sarah Besky's research on Darjeeling tea, India's first and most famous DO, finds that, in the Darjeeling case and in discussions of DOs in general, wage laborers are ignored. Instead, Darjeeling tea producers and governmental officials have reframed "an industrial plantation crop with a less than savory colonial past," produced by Nepali workers on huge tea plantations, into an artisan product with an authentic terroir.<sup>129</sup> They did so by recasting the exploitative labor relations of the plantations as part of a "palatable national heritage of craft production."<sup>130</sup> Besky argues that this seductive imagery serves to obscure and downplay the repressive, hierarchical aspects of tea production, in which female workers continue to labor for very low wages and depend upon plantation owners not only for money but also for food, medical care, schools, and housing.<sup>131</sup> The Darjeeling case is a stark reminder of the need to seriously consider the impact of colonial legacies and global inequalities on contemporary social and economic relations.

#### THE MEXICAN MODEL

Despite emerging evidence that suggests that the benefits of DO protection often fail to trickle down to farmers, workers, and communities, people in many developing countries are rushing to jump on the DO bandwagon. As they look to share in the benefits of the consumer craze for authentic, local products, many are looking to Mexico for answers. As the first protected DO outside of Europe and one of the largest and most famous, tequila stands as a model for agricultural producers and governments around the world who aim to protect their own unique goods and help ensure the livelihoods of the people who make them. While the French tastemakers were the first to protect the link between taste and terroir, the tequila producers were the first to show that it could be done outside of Europe. However, my analysis of tequila and mezcal highlights the limitations of relying on labels and alternative markets to protect cultural traditions or ensure a fair and sustainable food system. Because the agave farmers and small tequila producers have been systematically excluded from the process of defining the traditions that they want to pro-



tect, multinational liquor companies have appropriated notions of authenticity and quality for their own benefit. In some cases, they have even taken away from small producers the right to produce these drinks.

#### A NOTE ON NAMES

I use pseudonyms to refer to everyone interviewed for this book. Although I considered asking for permission to use people's real names, in the end I concluded that I needed to protect people's identities. People have been arguing over the production and regulation of tequila and mezcal for generations, with debates sometimes getting quite heated and, in a few cases, even becoming violent. The owner of a tequila distillery was murdered in 1997; and although his killing remains unsolved, many people believe that he was killed by someone who did not agree with his outspoken opinions about tequila regulations. More recently, a visible opponent of some of the industry's regulations told me that he was careful not to make his travels too public.

I refer to distilleries and organizations by name in this book, but in order to protect the identities of the people I interviewed, I have avoided linking quotes to the names of any distilleries or companies. I do occasionally refer to people by their actual names when the information is in the public record (for example, when I am citing a newspaper quote or referring to industry statistics). I have done my best to give as much contextual detail as possible for the people I interviewed, in terms of things like their region and the size of their distillery, while still protecting their identities. The photos in the book do not correspond with the narrative; for example, I did not match photos of distilleries with quotes from producers from those distilleries.