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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053518
Party	Plaintiff Baron Nahmias Inc.
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Submission	Motion for Summary Judgment
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD

X-----X	:	
	:	Cancellation No.: 92053518
	:	
BARON NAHMIAS INC.,	:	
	:	In the matter of
<i>Petitioner,</i>	:	Trademark Registration Nos.:
	:	
v.	:	3291386
	:	3234012
	:	
ATLANTIC BOTTLING, LLC,	:	<i>For the marks:</i>
	:	MAHIA
<i>Registrant-Respondent.</i>	:	Registered: September 11, 2007
	:	<i>and</i>
	:	MAHIA LE FIG
	:	Registered: April 24, 2007
X-----X	:	

PETITIONER'S MOTION FOR SUMMARY JUDGMENT WITH  
SUPPORTING BRIEF AND ANNEXED EXHIBITS

Petitioner Baron Nahmias Inc. ("Petitioner" or "BN"), pursuant to Federal Rule of Civil Procedure Rule 56 and Section 528 of the TBMP moves the Trademark Trial and Appeal Board (the "TTAB") for an order granting it summary judgment and granting its petition under Sections 14 and 18 of the United States Trademark Act for cancellation of Registration Nos. 3291386 and 3234012 (the "Registrations" or the "Alleged Trademarks"), or alternatively, cancellation of 3291386, and disclaimer of the "MAHIA" separate from its appearance in Registration 3291386, on the grounds that there are no genuine issues of material fact that the Registrations are in fact generic or, in the case of 3234012, "MAHIA LE FIG" also merely descriptive and that Petitioner is accordingly entitled to judgment as a matter of law.

This motion is based upon the attached brief and exhibits thereto, Petitioner's Consolidated Petition for Cancellation herein (the "Petition"), Registrant's Answer thereto (the "Answer"), the Affidavits of Dorit Nahmias and David Nahmias (annexed to brief as Exhibits 1 and 2), all facts of which the Board may take judicial notice, and such other arguments and evidence as may be presented by the Board on this motion.

Dated: September 7, 2011

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X-----X		

**PETITIONER'S BRIEF IN SUPPORT OF ITS  
MOTION FOR SUMMARY JUDGMENT**

**INTRODUCTION**

This motion presents a simple, straightforward question: Could a reasonable fact-finder possibly find that the word “*mahia*” is not a generic term for a type of distilled spirit, used both domestically and abroad as such, among speakers of both English and multiple foreign languages? As detailed and demonstrated herein by overwhelming evidence, the answer is “No,” and Petitioner is accordingly entitled to summary judgment.

**RELEVANT BACKGROUND**

The relevant factual background is set forth in more detail in the Consolidated Petition for Cancellation, filed and served on January 13, 2011, Docket No. 1 (the “Petition”), the Affidavit of Dorit Nahmias, President of Petitioner, signed sworn to on July 27, 2011 (the “Dorit Aff.”), annexed hereto as **Exhibit 1**, and the Affidavit of David

Nahmias, Vice President of Petitioner, signed and sworn to on July 27, 2011 (the “David Aff.”), annexed hereto as **Exhibit 2**.<sup>1</sup>

Petitioner was formed to conduct the business of developing, manufacturing, marketing and selling distilled spirits. (Petition ¶ 3; Dorit Aff. ¶ 3; ) Petitioner’s primary product, a distilled spirit made from figs, is in a product category known as *mahia* which is an element of both of the Alleged Trademarks sought to be canceled by the Petition. (Petition ¶ 5; Dorit Aff ¶¶ 4, 9, 10, 12, Exhibits B & C<sup>2</sup>.) Registrant’s registrations “MAHIA” and “MAHIA LE FIG” (the “Alleged Trademarks”) include, in whole or in part, the word *mahia*, which is a term used generically to describe distilled spirits originating from or consumed in Morocco, or manufactured in the Moroccan style, derived from fruits such as figs. (Petition ¶¶ 6, 44; Dorit Aff. ¶ 14; David Aff. ¶¶ 3 –5.)

Not only are the Alleged Trademarks generic, but they were procured by a fraud perpetrated upon the USPTO committed with the knowledge of the Alleged Trademarks’ generic nature and with the intent to induce the USPTO into relying on Registrant’s false statements that MAHIA had no significance in the alcoholic beverage trade or industry. (Petition ¶¶ 17-27, 29-40, 54-62.)

Accordingly, in order to protect its lawful right to call its product by its proper name, Petitioner brings the instant Petition to cancel the registrations of the Alleged Marks, or, alternatively, to cancel Reg. No. 3291386 (“MAHIA”) and order a disclaimer, pursuant to Section 18, of *mahia* apart from its appearance in Reg. No. 3234012 (“MAHIA LE FIG”).

Petitioner brings this motion for summary judgment in light of the overwhelming evidence to support its claims of genericness and descriptiveness in the public record, which

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<sup>1</sup> References to an attorney declaration contained in Exhibits 1 and 2 hereof are meant to be read as referring to this brief.

<sup>2</sup> All lettered exhibits referring to those annexed to the Dorit Aff., annexed hereto as **Exhibit 1**.

not only demonstrates that the Petition must be granted, but also that no genuine issue of fact exists to support a finding otherwise.

### **STANDING**

A petitioner that pleads facts sufficient to show that it has a direct and personal stake in the outcome of the cancellation and a reasonable basis for its belief that it will be damaged by the subject registration(s) has adequate standing. *See Ritchie v. Simpson*, 170 F. 3d 1092, 1098, 50 U.S.P.Q. 1023, 1025-6 (Fed. Cir. 1999). The Petitioner must only have a “reasonable basis for its belief in damage, and there is no requirement that any actual ‘damage’ be pled or proved.” *Montecash v. Anzar Enterprises, Inc.*, 95 U.S.P.Q.2d 1060 (T.T.A.B. 2010). In cases involving assertion of an equal right to use a term, the question is whether the presumptions flowing from the contested registration(s) are damaging to a petitioner’s right to legal and continuous use of the term. *Id.* Petitioners in the same field as a respondent have a personal stake in a proceeding. *Id.*; *see also Duramax Marine LLC v. R.W. Fernstrum & Co.*, 80 U.S.P.Q.2d (T.T.A.B. 2006).

Here, Petitioner is not only in the same field as Respondent, but was formed to produce the very product over which the Alleged Trademarks operate to create an effective monopoly. Indeed, *mahia* is one of Petitioner’s core products. (Petition ¶¶ 5, 7, 10, 14; Dorit Aff. ¶¶ 4, 5, 9, 10, 12 and Exhibits B & C thereto.) In furtherance of this goal, Petitioner has employed David Nahmias, a native of Morocco who is personally familiar with the methods and customs of producing *mahia*. (Dorit Aff. ¶ 5; David Aff. ¶ 1, 3, 4.) Petitioner has also expended significant amounts of money and other resources in leasing and building a distillery, and in obtaining the relevant licenses and approvals. (Petition ¶¶ 4; Dorit Aff. ¶¶ 6,7.) Petitioner has indeed acquired a federal permit from the Department of the Treasury – Alcohol and Tobacco Tax and Trade Bureau (the “T.T.B.”) (Dorit Aff. ¶ 8 & Exhibit A.) which was issued to Petitioner after it submitted to the T.T.B. a description of its planned

business in the production of “high quality fruit eau de vie” and “Mahia, an eau de vie distilled from figs.”<sup>3</sup> (Dorit Aff., ¶ 9 & Exhibit A thereto.) Petitioner also received from the T.T.B. an approval for its formula and process for the production of *mahia*, with an approved description of “spirits distilled from figs with aniseed added.” (Dorit Aff. ¶ 10 & Exhibit C.) Petitioner also has acquired its New York State Certificate of Authority to collect sales and use taxes in preparation for its sale of *mahia*. (Dorit Aff., ¶ 11 & Exhibit D.)

However, as a result of the wrongful registrations of the Alleged Trademarks MAHIA and MAHIA LE FIG, Petitioner faces the risk of litigation and related legal proceedings stemming from the undeserved presumptions afforded by registration. (Petition ¶¶ 8, 60; Dorit Aff. ¶ 15, 16, 17; David Aff. ¶¶ 15, 16, 17; *see also* Answer ¶ 41 (Petitioner “may face the risk of injunction, litigation or other legal obstacles”).)

Accordingly, Petitioner has a direct commercial interest in the proceeding and has a reasonable belief that it will be damaged by the continued registration of the Alleged Trademarks, and, as such, has sufficient standing pursuant to Section 14 of the Trademark Act, 15 U.S.C. §1064.

## ARGUMENT

### I.

#### **THERE IS NO GENUINE ISSUE OF MATERIAL FACT BARRING A FINDING THAT THE ALLEGED TRADEMARKS ARE GENERIC**

Summary judgment is the appropriate remedy when “there is no genuine issue as to any material facts and . . . the moving party is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(c). “Where a movant has supported its motion with affidavits or other evidence, which, unopposed, would establish its right to judgment, the non-movant may not rest upon general denials in its pleadings or otherwise, but must proffer countering evidence

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<sup>3</sup> *See* fn. 27 regarding use and meaning of “eau de vie.”

to create a genuine factual dispute. A dispute is *genuine* only if, on the entirety of the record, a reasonable jury could resolve a factual matter in favor of the non-movant.” *Sweats Fashions Inc. v. Pannill Knitting Co.*, 833 F.2d 1560, 4 U.S.P.Q. 2d 1793, 1795 (Fed. Cir. 1987) (emphasis in original). Certificates of registration are insufficient to create genuine issues of fact in the face of overwhelming evidence of genericness. *See, e.g., Retail Services, Inc. v. Freebies Publishing*, 364 F. 3d 535 (4<sup>th</sup> Cir. 2004) (affirming summary judgment ruling of genericness despite presumptions afforded by registration). Summary judgment is appropriate in cases where, as here, “more evidence than is already available in connection with the summary judgment motion could not reasonably be expected to change the result in the case.” TBMP 528.01.

Here, Petitioner’s evidence indisputably demonstrates that Registrant’s Alleged Trademarks are cancellable because they are (I) generic, and (II) in the case of Reg. No. 3234012, merely descriptive, at best. Accordingly, the Alleged Trademarks must be cancelled, and, in the alternative, Reg. No. 3291386 (MAHIA) must be cancelled and, pursuant to Section 18, a disclaimer entered for Reg. No. 3234012 (MAHIA LE FIG), disclaiming the use of the generic term “MAHIA” apart from the mark as shown.

**A. “MAHIA” IS SIMPLY A GENERIC TERM FOR A TYPE OF DISTILLED SPIRIT**

Petitioner presents overwhelming evidence to demonstrate not only that *mahia* is a generic term, but rather, that there can be no genuine issue of fact barring such a finding.

It is “a bedrock principle of trademark law that no trader may acquire the exclusive right to the use of a term by which the covered goods are designated in the language. Such a term is ‘generic.’ **Generic terms are not eligible for protection as trademarks, everyone may use them to refer to the goods they designate.**” *Otokoyama Co. Ltd. v. Wine of Japan*

*Import, Inc.*, 175 F.3d 266 (2d Cir.1999) (*emphasis added*) (citing *Kellogg Co. v. Nat'l Biscuit Co.*, 305 U.S. 111, 11-17, 59 S.Ct. 109, 83 L.Ed. 73 (1938); *Harley Davidson Inc. v. Grottanelli*, 164 F.3d 806, 810 (2d Cir. 2000) (other citations omitted)). Terms need not have significance to the general public as describing a certain class of goods in order to be deemed generic. Rather, the inquiry is whether they are generic terms to “prospective purchasers of the product.” *Orto Conserviera Cameranesse Di Giachetti Marino & C., S.N.C. v Bioconserva S.R.L.*, 205 F.3d 1324, 2000 WL 232108 (2d Cir. 2000).

Evidence of public understanding of a term may be obtained from any competent source, including dictionaries, trade journals, newspapers and other publications. *See In re Merrill Lynch, Pierce, Fenner and Smith Inc.*, 828 F.2d 1567, 4 U.S.P.Q. 2d 1141 (Fed. Cir .1987); *In re Northland Aluminim Products, Inc.*, 777 F.2d 1556, 227 U.S.P.Q. 961, 963 (Fed. Cir. 1985). For specialty foods and beverages, for example, competent evidence may include specialty books of a culinary nature, including cookbooks, travel-related publications, and publications of bodies that regulate the trade of foods and beverages, such as the Department of Agriculture. *See, e.g., In re Noon Hour Products Inc.*, 88 U.S.P.Q.2d 1172 (T.T.A.B. 2008) (holding the term “Bondost” to be generic for a kind of cheese, relying in part on travel books, specialty books on Scandinavian food and United States Department of Agriculture classifications).

Further, it is a matter of common sense that many food and beverage terms of foreign linguistic origin are generic in the United States, even when the foreign word is used. *See, e.g., In re Noon Hour Products Inc.*, 88 U.S.P.Q.2d 1172 (“Bondost” generic without having to invoke doctrine of foreign equivalents). This is because foods and beverages of foreign origin commonly maintain their names in this country. Indeed, customers use and prefer to use the foreign-origin generic terms for, for example, parmesan cheese (instead of “hard

granular cooked cow's milk cheese"), spaghetti (rather than "long, thin cylindrical pasta") or tequila (as opposed to "distilled agave spirit").

In this proceeding, volumes of competent English-language evidence overwhelmingly demonstrate that *mahia* is simply and incontrovertibly a generic term for a type of spirits.

**1. Culinary Works, Including Specialty Encyclopedias and Cookbooks**

Numerous domestic and English-language cookbooks, related guides and reference works submitted by Petitioner in support of this motion, use, define and reference *mahia* generically to denote a type of Moroccan spirit, distilled from figs or dates. Examples of such use, annexed hereto, include:

This stew is typically accompanied by *mahia* (distilled fig and anise liquor) and provides for a hearty lunch on the Sabbath (Saturday).

**Exhibit 3, p. 271.**<sup>4</sup>

*mahia* – fig and anise liquor traditionally taken on holy Saturdays by Jewish followers.

**Exhibit 3, p. 297.**

*mahia* – fig and anise liquor traditionally taken on holy Saturdays by Jewish followers. (North Africa)

**Exhibit 3, p. 504.**

an alcoholic drink from figs and anise called *mahia* (water of life).

**Exhibit 4,**<sup>5</sup> p. 17.

[a]mong the Jews in the Maghreb fig brandy is sometimes used instead of wine . . . This spirit is known in Morocco as *mahia*.

**Exhibit 4, p. 196**

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<sup>4</sup>Jeremy MacVeigh, *International Cuisine* pp. 271, 297 & 504 (Clifton Park, NY: Delmar, 2009).

<sup>5</sup> Gil Marks, *Encyclopedia of Jewish Food* pp. 17 & 196 (Hoboken, NJ: John Wiley & Sons, 2010).

The traditional drinks served with appetizers are arak (or raki), the anise-flavored spirit distilled from grapes, and the Moroccan mahia made with figs or dates.

**Exhibit 5,**<sup>6</sup> p. 52

. . . while the national drink of North Africa, boukha in Tunisia and mahia in Morocco, is made from figs.

**Exhibit 5,** p. 54

MAHIA . . . . an Arabian spirit distilled from dates.

**Exhibit 6.**<sup>7</sup>

When her guests had feasted to their heart's content, she would offer everyone a glass of her homemade *mahia*, a potent digestif distilled from figs, dates or raisins.

**Exhibit 7.**<sup>8</sup>

## **2. English-language Industry, Consumer and Enthusiast Blogs and Websites**

The blogs and websites of consumers and enthusiasts are instructive and probative of a term's generic nature. *See, e.g., In re Noon Hour Products Inc.*, 88 U.S.P.Q.2d 1172 (relying, in part on consumer and enthusiast websites when finding "bondost" to be generic for a type of cheese). Here, numerous blogs and websites of spirits consumers and enthusiasts, submitted in connection with this motion clearly display the term *mahia* being used by consumers and enthusiasts as a generic term for a type of spirit.

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<sup>6</sup> Claudia Roden, The New Book of Middle Eastern Food, pp. 52, 54 (New York: Knopf 2000) (1968).

<sup>7</sup> Online Food Resource Glossary, published online by Oregon State University, College of Health and Human Services, *available at* <http://food.oregonstate.edu/glossary/m/mahia.html> (citing Garrett, Theodore Francis (edited by). 1898. the Encyclopedia of Practical Cookery. L. Upcott Gill, 170, Strand, W.C. London. Vol. II)

<sup>8</sup> Kitty Morse, Cooking at the Kasbah, (San Francisco: Chronicle Books, 1998), p. 108.

The English language website arabicliquor.com, which describes itself as “dedicated to the various liquors and spirits from the Arab world,” (**Exhibit 8**<sup>9</sup>, p. 3) mentions *mahia* in several places, and as follows:

This bottle of mahia is interesting for the accumulation of languages on the label.

**Exhibit 8**, p. 1.

The smell is similar to that of the French mahia Meknesiah . . .

**Exhibit 8**, p. 1.

[A]fter tasting it it becomes clear that the Mahia Meknesiah is of a completely different quality .

**Exhibit 8**, p. 1.

Mahia (which means water of life in Arabic) is originally a Jewish Moroccan fig brandy. . . . other brands are still available in Morocco.

**Exhibit 8**, p. 2.

This Mahia Meknesiah is flavored with aniseed . . .

**Exhibit 8**, p. 2.

The spirits can be can be categorized into two groups: the spirits which have traditionally been distilled in the Arabic countries (such as Arak, Boukha and Mahia) . . .

**Exhibit 8**, p. 3.

The consumer blog “World Drinks” features on its homepage, an entry about *mahia* dated February 8, 2011, printout annexed as **Exhibit 9**.<sup>10</sup> The entry, under the heading “White Spirit or Mahia” reads, in part:

White spirit or Mahia is a moroccan [sic] jewish drink made of distilled prunes mixed with an anise taste and its effect is very strong , its usually a cheap drink in morocco but in hotels around the world the minimum price for

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<sup>9</sup> [www.arabicliquor.com](http://www.arabicliquor.com); *mahia* search results available at <http://www.arabicliquor.com/?s=mahia> , printout annexed as **Exhibit 8**.

<sup>10</sup> Available at <http://world-drinks-marbella.blogspot.com/2011/02/white-spirit-or-mahia.html> .

a shot is 15 euros. It has a 47% degree of alcohol and can get anyone drunk in no time. The best way to serve it is with a zest of orange juice and some grenadine and ice . Enjoy :)

**Exhibit 9.**

The website “Israeli Wines – Pride of Israel” which describes itself as created “[f]or the benefit of all winemakers and wine lovers,” (**Exhibit 10**<sup>11</sup>, p. 1) mentions mahia in an article dated September 29, 2008, entitled “Israelis Get a Taste for Alcohol.” **Exhibit 10**, pp. 2-5. In relevant, part the article reads, under the subheading “Arak”:

It is the ethnic spirit for most Mediterranean countries and is similar to the French Pastis, Turkish Raki, Greek Ouzo, Egyptian Zabib, North Africa, Mahia ,Spanish Ojen and Armenian Oghi. The Lebanese also call it Arak.

**Exhibit 10**, p. 3 (under heading “Arak”)

The website, “Home Distillation of Alcohol,” at homedistiller.org, states that “‘Mahia’ is the local Moroccan spirit.” **Exhibit 11**.<sup>12</sup> The site goes on to list a recipe for Mahia. **Exhibit 11**.

Another blog site, “OHC: Omnivore Herbivore Carnivore” which focuses on food and beverage matters, located at <http://omnivoreherbivorecarnivore.blogspot.com>, contains an entry, dated August 7, 2008 entitled “Mahia . . . I just met a drink named Mahia . . . .” *See* **Exhibit 12**.<sup>13</sup> The entry, which also features a picture of a bottle with a label containing the word *mahia* uses the word to describe a kind of liquor, without reference to brand:

*Mahia* is a fig liquor that was distilled, usually by Jewish merchants, in North Africa. It's impossible to find in North America and today T. and I are finishing off the last of the *mahia* that a friend brought back from Morocco a few years ago.

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<sup>11</sup> Page 1 of welcome page containing said description *available at* <http://www.wines-israel.co.il/len/apage/printv/3578.php>, printout annexed as **Exhibit 10**, along with article “Israelis Get a Taste For Alcohol,” *available at* <http://www.wines-israel.co.il/len/apage/17843.php>

<sup>12</sup> *Available at* <http://homedistiller.org/> , and by following internal links to “Preparing Wash” → Fruit; printup annexed as **Exhibit 11**.

<sup>13</sup> *Available at* [http://omnivoreherbivorecarnivore.blogspot.com/2007\\_07\\_08\\_archive.html](http://omnivoreherbivorecarnivore.blogspot.com/2007_07_08_archive.html)

**Exhibit 12.**

Finally, even when given the opportunity to walk into Registrant's trap – to mistakenly believe that *mahia* is somehow a mark or brand of Registrant – the public does not take the bait – even when discussing Registrant's product. Indeed, an article about Registrant's product on the "Kosher Blog" website, located at kosherblog.net, dated August 27, 2007, features a picture purportedly of Registrant's product bearing the phrase "Mahia Le Fig." **Exhibit 13.**<sup>14</sup> However, the article never uses *mahia* as a source identifier of Registrant's product. Rather, it is used in a way consistent with its generic nature. Specifically:

[President of Registrant] Mordechai Kairey decided to produce arak, a fig-based liqueur also known as *ma'hia* (pronounced "mach-i-ya"), after obtaining a recipe from his former landlord, an elderly Sephardic man who used to make homebrew arak for his friends.

**Exhibit 13, p. 1.**

I have a Zachlawi t-shirt ready to mail out to the first person who emails me . . . tells me what "ma'hia" means.

**Exhibit 13, p.2.**

Then, in the comments section below, the article displays a comment from a reader who responds that "I believe Ma chi ya means to revive from Arab [sic] or Hebrew. Moroccans caal [sic] it Ma-hya." **Exhibit 13, p. 2.**

These examples of consumer and enthusiast websites demonstrate conclusively and overwhelmingly, on their face, the pervasive use of *mahia* among the relevant purchasing public as a term to denote a type of distilled spirit. Indeed, not even one of these several sites

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<sup>14</sup> "A Visit to the Zachlawi Arak Factory" by Jonathan Abbett and Rabbi Avi Feingold, entry to Kosher Blog dated August 27, 2007, available at <http://www.kosherblog.net/2007/08/27/a-visit-to-the-zachlawi-arak-factory/>

use the term *mahia* as a source identifier of Registrant. Rather, it is used only in the generic sense. Compare *In re Noon Hour Products Inc.*, 88 U.S.P.Q.2d 1172 (“Bondost” to be generic for a kind of cheese, even where some public sources use the term to refer to trademark applicant).

### 3. English-language News Articles from Mainstream News Outlets

Not only do specialty publications and websites demonstrate the lack of any genuine debate regarding the widespread use and nature of *mahia* as a generic term, English-language news articles in mainstream news outlets also demonstrate same.

Specifically, the Jerusalem Post, which in its online edition, is described as “Israel’s best-selling English daily and most-read English website” (see top of **Exhibits 14 & 15**) uses *mahia* to describe a type of distilled spirit in two recent columns on wine and spirits. See **Exhibits 14<sup>15</sup> & 15.<sup>16</sup> First, on February 9, 2011:**

The indigenous spirit of Israel is arak. It is the ethnic spirit for most Mediterranean countries and is similar to the French pastis, Turkish raki, Greek ouzo, Egyptian zabib, North African mahia, Spanish ojen and Armenian oghi. The Lebanese also call it arak.

**Exhibit 14**, p. 1 (under heading “Arak”).

Then, on May 25, 2011:

Arak look slike water, tast es of anise and it turns milky white when water is added. It is similar to the French Ricard and Pernod, the Turkish raki, the Greek or Cypriot ouzo, the Macedonian mastika, the Egyptian zabib, the North African mahia, the Spanish ojen, Italian sambuca and the Armenian oghi. In Lebanon, Jordan, Syria and Israel, it is called arak.

**Exhibit 15**, p. 1, ¶ 2.

### 4. Travel Publications and Websites

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<sup>15</sup> Adam Montefiore, *Wine Talk: History in a Bottle*, Jerusalem Post, February 9, 2011 (note European dd/mm/yyyy format), printable article available at <http://www.jpost.com/LandedPages/PrintArticle.aspx?id=206859>.

<sup>16</sup> Adam Montefiore, *Lion’s Milk*, Jerusalem Post, May 25, 2011, printable article available at <http://www.jpost.com/LandedPages/PrintArticle.aspx?id=221497>

Domestically-published travel publications and English-language travel-related websites also demonstrate the lack of any genuine factual issue regarding *mahia*'s status and use as a generic term.

For example, in a "Where to Eat" write-up in Fodor's Morocco from the popular Fodor's Travel Publications series:

Don't miss the fig-based digestif, Mahia, or the chance to have hot prawns or smoked eel salad.

**Exhibit 16**,<sup>17</sup> p. 321 under "Chez Mimi La Brochette."

Also, ShermansTravel.com, a website offering discount travel packages and expert travel advice mentions *mahia* in its "Marrakech Travel Guide" available at [http://www.shermanstravel.com/travel\\_guides/marrakech.txt](http://www.shermanstravel.com/travel_guides/marrakech.txt). See **Exhibit 17**.<sup>18</sup>

Specifically, in its review of a Marrakech restaurant, Dar Marjana, the site reads:

Enjoy aperitifs like *mahia* (a fig liqueur) in the lovely open-air, lantern-lit courtyard where local Gnawa musicians pluck two-stringed banjos.

**Exhibit 17**, pp. 12.

A travel and hospitality industry blog, the "Black Blog of Travel" ([blackblogoftravel.com](http://blackblogoftravel.com)), produced by JG Black Book of Travel, based in New York City also mentions *mahia* in an article dated March 11, 2011. The article describes what it calls "the 'Moroccito' – the signature drink from the Bar at La Maison Arabe in Marrakech, Morocco."

**Exhibit 18**,<sup>19</sup> p. 1. The article then shows a picture of the cocktails, followed by a recipe that instructs the reader to:

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<sup>17</sup> Fodor's Morocco, p. 321, (New York: Mark Sullivan and Laura Kidder eds., Random House 4<sup>th</sup> ed. 2009).

<sup>18</sup> Available at [http://www.shermanstravel.com/travel\\_guides/marrakech.txt](http://www.shermanstravel.com/travel_guides/marrakech.txt), printout of relevant pages, 1, 12 & 13, annexed as **Exhibit 17**.

<sup>19</sup> Black Blog of Travel, entry dated March 11, 2011, available at <http://www.blackblogoftravel.com/blog/2011/03/photo-friday-bartender-series-ix.html>;

[Blend the above ingredients. For each serving, add 1 shot of the “water of life” – Mahia Moroccan liquor of fig and licorice. (Or you can use vodka, gin or rum, depending on your taste.

**Exhibit 18**, p.2 (emphasis in original, denoting a hyperlink to one of the *mahia* reviews from arabicliquor.com, contained in **Exhibit 8**).

These English-language travel-related publications consistently, unambiguously and indisputably refer to *mahia* as a type of distilled spirit and not in any way as a source identifier related to Registrant.

## **5. Official Publications and Guidelines of the United States Government**

Official government publications, regulations and guidelines, are highly probative in determining the generic nature of a commercial term. *See, e.g., In re Noon Hour Products Inc.*, 88 U.S.P.Q.2d 1172 (“bondost” found to be generic for a type of cheese, relying in part on Department of Agriculture use of the term); *see also Otokoyama Co. Ltd. v. Wine of Japan Import, Inc.*, 175 F.3d 266, 271 (even a foreign government’s classification and regulation of a term probative of the term’s genericness).

Here, both the Department of Agriculture and The Department of the Treasury refer in their official publications and advisories to *mahia* as a category of spirits.

### **a. Department of Agriculture**

In the Official Country Report for Morocco, published by the United States Department of Agriculture (the “USDA”), Global Agricultural Information Network, dated July 24, 2009, *mahia* is mentioned twice:

The denomination “Mahia” that can be used only for brandy issued from fermented figs/dates and aniseed with no ethylic alcohol being added . . . .  
The Minimum alcohol content by volume must be (in %): Whiskey, pastis and Mahia 40; Rum, Wine Brandy, raisin brandy, Fruits Brandy, Gin, Vodka 37.5; Brandy 36; anis and spirits from grains 35; spirits drinks from fruit 25; aniseed spirits 15; and spirits called “Mixed Drinks” 5 percent.

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contact/location information about publisher JG Black Book of Travel *available at* <http://www.blackblogoftravel.com/blog/contact.html> and included on last page of **Exhibit 18**.

**Exhibit**<sup>20</sup> 19, under the heading “Other Alcoholic Beverages.”

**b. Department of The Treasury – Alcohol and Tobacco Tax and Trade Bureau**

To further demonstrate the importance of *mahia* as a category to domestic producers or exporters of distilled spirits, the same advisory appears in an import/export requirement report for Morocco, published by the Department of Treasury Alcohol Tax and Trade Bureau (the “TTB”) on its website, the chief federal regulating body of the distilled spirits industry. See **Exhibit 20**, p. 2<sup>21</sup>

Indeed, the continued registration of the Alleged Trademarks would create the illogical situation where two United States cabinet Departments are publishing guidelines solely for the benefit of Registrant; a situation completely contrary to logic and the objectives of trademark law.

**6. Other Nonfiction Works**

Further underscoring the pervasiveness of *mahia* as a generic term for a kind of distilled spirit - not only to interested consumers and enthusiasts, regulatory bodies, and publishers within the liquor, travel, and culinary industries – the word’s appearance in other nonfiction works, illustrates the term’s generic meaning and its cultural and historical significance.

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<sup>20</sup> USDA Foreign Agricultural Service, Morocco: Food and Agricultural Import Regulations and Standards, July 24, 2009, GAIN Report No. MO9012, approved and prepared by the U.S. Embassy in Rabat, Morocco and published by U.S. Department of Agriculture. Available by searching at <http://gain.fas.usda.gov/Lists/Advanced%20Search/AllItems.aspx>, direct link also available at [http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative\\_Rabat\\_Morocco\\_7-24-2009.pdf](http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Food%20and%20Agricultural%20Import%20Regulations%20and%20Standards%20-%20Narrative_Rabat_Morocco_7-24-2009.pdf); relevant pages, including link from search page annexed as **Exhibit 19**.

<sup>21</sup> U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau online advisory regarding exports to Morocco, available at <http://www.ttb.gov/itd/morocco.shtml>

For example, in the book “Jewish Communities in Exotic Places” by Ken Blady, *mahia* is not only mentioned but also appears in the title of one of the book’s chapters. See **Exhibit 21**<sup>22</sup> p. vi (“Part XI Mellah, Medinah, Marabouts, *and* Mahia”). In that chapter, the author uses the term *mahia* as – naturally – a term to describe a type of distilled spirit:

A Jewish specialty was distilling *mahia* for illegal sale to the Muslims. Mahia is an aniseed or fennel-flavored brandy made from grapes, pomegranates, figs, or dates.

**Exhibit 21**, p. 298.

The aforementioned exhibits – all within the public record – including at least thirty-six (36) examples of the use of *mahia* from such disparate sources as cookbooks, culinary encyclopedias, consumer, industry, and enthusiast websites, travel publications and websites, official publications of the United States government and historical nonfiction literature prove beyond debate that the word is consistently, unambiguously and indisputably used generically by the public to denote a type of distilled spirit. Nowhere among these sources - not even in an article focusing on Registrant - is *mahia* used to identify goods as originating from Registrant, or having any other meaning other than other than as a generic term for a type of distilled spirit.

**B. NO GENUINE ISSUE OF FACT PRECLUDES A FINDING THAT ‘MAHIA’ IS GENERIC UNDER THE DOCTRINE OF FOREIGN EQUIVALENTS**

In addition to being simply generic – in any language – summary judgment must also be granted because no genuine issue of fact precludes a finding that *mahia* is a generic term under the doctrine of foreign equivalents.

Under the doctrine of foreign equivalents, “a word commonly used in another country as the generic name of a product cannot be imported into the United States and be

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<sup>22</sup> Ken Blady, Jewish Communities in Exotic Places pp. vi, 298 (Northvale, NJ: Jason Aronson, Inc. 2000).

transformed into a valid trademark.” 2 *McCarthy on Trademarks and Unfair Competition*, § 12:41. The doctrine requires that foreign words first be translated into English and then tested for descriptiveness or genericness. *Id.*; *Enrique Bernat F., S.A. v. Guadalajara, Inc.*, 210 F.3d 439, 443 (5th Cir.2000). The doctrine is supported by two rationales. First, as the Second Circuit has held, the doctrine rests on the following assumption:

[T]here are (or someday will be) customers in the United States who speak that foreign language. Because of the diversity of the population of the United States, coupled with temporary visitors, all of whom are part of the United States marketplace, commerce in the United States utilizes innumerable foreign languages. **No merchant may obtain the exclusive right over a trademark designation if that exclusivity would prevent competitors from designating a product as what it is in the foreign language their customers know best.**

*Otokoyama Co. Ltd. v. Wine of Japan Import, Inc.*, 175 F.3d 266, 271 (2d Cir.1999).

Second, the doctrine seeks to serve the interests of international comity. As the Fifth Circuit has explained, “because U.S. companies would be hamstrung in international trade if foreign countries granted trademark protection to generic English words, the U.S. reciprocates and refuses trademark protection to generic foreign words.” *Enrique Bernat*, 210 F.3d at 443.

Therefore, words that are generic terms for the products bearing them in a foreign language, are unregistrable as generic under the doctrine of foreign equivalents. *Orto Conserviera Cameranesa Di Giachetti Marino & C., S.N.C. v Bioconserve S.R.L.*, 205 F.3d 1324, 2000 WL 232108 at \* 1 (2d Cir. 2000)(“[T]he relevant inquiry is, more generally, the meaning of the term or phrase in its country of origin.”) Generic terms need not be used as such by the language or dialect of a country as a whole. *Enrique Bernat F., S.A. v. Guadalajara, Inc.*, 210 F.3d 439, 444 at fn. 4 (finding “chupa” generic for lollipop though its

use as same was arguably limited to certain regions of Argentina and Uruguay); *Otokoyama Co.*, 175 F.3d at 271 (words can be found “generic by virtue of its association with a particular region, cultural movement, or legend.”). The doctrine of foreign equivalents applies to foreign generic terms regardless of whether the languages of origin are used by larger minority segments of the United States. *See, e.g., In re Hag Aktiengesellschaft*, 155 U.S.P.Q. 598, 599-600 (T.T.A.B. 1967) (“kaba,” a Serbian and Ukranian word for coffee, held non-protectable for use with coffee); *see also Weiss Noodle Co. v. Golden Cracknel & Specialty Co.*, 48 C.C.P.A. 1004, 290 F.2d 845, 846-47 (C.C.P.A. 1961) (“ha-lush-ka,” phonetic spelling of Hungarian word for “egg noodles” generic and unregistrable under doctrine of foreign equivalents).

Here, the evidence overwhelmingly demonstrates that no genuine issue of fact can prevent a finding that *mahia*, in addition to – as detailed in point I.A, *supra* - being a simple generic term in any language, is a generic term in the languages of Morocco, and used as such in other foreign countries and languages, for a brandy or spirit commonly distilled from figs.

#### A. Dictionary Definitions

The Dictionary of Moroccan-Arabic, published by the Georgetown University Press, clearly establishes, in two ways, the generic nature of the word *mahia*. **Exhibit 22**<sup>23</sup>. Specifically, in the English-to-Moroccan section on page 25, the Dictionary of Moroccan-Arabic translates the English word “brandy” into “*ma-hya*.”<sup>24</sup> **Exhibit 22**, p. 25 (entry for

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<sup>23</sup> *A Dictionary of Moroccan Arabic*, pp. xxiii, 25, 75 (Richard S. Harrell & Harvey Sobelman, eds., Washington, DC: Georgetown University Press, 2004) (1966).

<sup>24</sup> Petitioner notes that the spelling proffered is of a phonetic in nature and that for trademark purposes, especially for foreign words, the operative issue is how a word sounds, regardless of various alternate or misspellings offered. *See, e.g., Weiss Noodle Co. v. Golden Cracknel & Specialty Co.*, 48 C.C.P.A. 1004, 290 F.2d 845, 846-47 (C.C.P.A. 1961) (“ha-lush-ka,” phonetic spelling of Hungarian word for “egg noodles” generic and unregistrable under doctrine of foreign

“brandy”). Further, the volume’s Moroccan Arabic-English section translates the phonetic equivalent of *mahia*<sup>25</sup> as meaning “a relatively weak alcoholic beverage resembling aquavit or brandy.” **Exhibit 22**, p. 75.

**B. Official Laws and Publications of the Kingdom of Morocco**

But we need not rely only on the dictionary to establish the plain meaning of *mahia* in Morocco, when Petitioner’s evidence establishes that the **Kingdom of Morocco** itself legislates and issues decrees governing use of the word *mahia* as a product category, rendering it generic in Morocco.

Foreign legal pronouncements are relevant, admissible and instructive in proving whether a term is used to refer to a type or class of goods. *See, e.g., Otokoyama*, 175 F.3d at 273 (holding a decision of the Japanese Patent Office to bar registration of “Otokoyama” as a trademark for *sake* liquor, relevant and probative to prove that the term was used to denote a type or class of sake in Japan).

The Official Bulletin of the Kingdom of Morocco from September 6, 2007, containing the Order No. 1628-07 of the Minister of Agriculture, Rural Development and Sea Fishery, dated August 22, 2007, (the “Order of the Minister of Agriculture”) annexed as **Exhibit 23**<sup>26</sup> together with a notarized and certified translation of excerpts of same, and

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equivalents); *see also, generally, Miller Brewing Com. V. G. Heileman Brewing Company*, 561 F.2d 75, 79, 195 U.S.P.Q. 281 (7th Cir. 1977), *cert. denied* 434 U.S. 1025 (1978) (in holding “Lite,” as a phonetic equivalent of “Light,” unprotectible as a common descriptive term for beer, noting that “using the phonetic equivalent . . . is of no avail.); *AMF, Inc. v. Battle Creek Equip. Co.*, 167 U.S.P.Q. 375 (T.T.A.B. 1970) (holding “Jymbar” generic for a chin-up bar or “gym bar.”).

<sup>25</sup> *See* page xxiii of Exhibit 22, for the dictionary’s explanation of the phonetic character used in its phonetic spelling of *mahia*, stating that the symbol in the place where the “h” in *mahia* would be is “somewhat similar to an English ‘h’ pronounced in a loud stage whisper[.]”

<sup>26</sup> Official Bulletin of the Kingdom of Morocco, September 6, 2007, ISSN 0851 – 1217, pp. 1020, 1028 – 1030; annexed with certified translation as **Exhibit 23**; available from website of the Secretariat General of Government of Morocco, available at

followed by a printout of an Internet page where it can be found, **on its face**, contains official decisions of the Minister of Agriculture decreeing that:

The name “Mahia” is exclusively reserved for natural spirits produced by the distillation of fermented must from figs and/or dates along with anise seeds, without consecutive rectification (or refining)

**Exhibit 23**, p. 1028.

The order goes on to explicitly delineate categories of alcoholic beverages and guidelines for minimal alcohol content in each for them to be properly label in each category. **Exhibit 23**, p. 1029. *Mahia* appears in this list of categories of regulated alcoholic beverages, alongside whiskey, vodka, rum, gin and other generic terms. **Exhibit 23**, p. 1029. Dated August 22, 2007, the Order is signed by Mohand Laenser, The Minister of Agriculture, Rural Development and Sea Fishery. **Exhibit 23**, p. 1030. This official publication, on its face, produces convincing evidence that *mahia* is a term used to denote a certain type of spirit, namely distilled spirits from figs or dates.

Further, and as detailed in Point I, *supra*, in a textbook demonstration of the crucial global trade concerns underpinning the doctrine of foreign equivalents, two United States federal executive branch departments, namely, the Department of Agriculture and the Department of the Treasury, have directly highlighted, referenced and paraphrased the Order of the Minister of Agriculture in official reports and advisories to American businesses and interested constituents. *See Exhibits 19 & 20, supra*. Surely, the Departments of Agriculture and of the Treasury did not publish these reports solely for the benefit of Registrant, who claims ownership rights over the term as a source identifier.

### **C. Examples of Commercial Use in Morocco and other Countries**

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[http://www.sgg.gov.ma/historique\\_bo.aspx?id=982](http://www.sgg.gov.ma/historique_bo.aspx?id=982) , and annexed as last two pages of **Exhibit 23**.

A simple search of the Internet reveals website which, on their face, show *mahia* in use as a generic term for a type of distilled spirit, in Morocco and on other countries.

Indeed, the Internet webpage for Supermarche Marrakech, a Moroccan online retailer, advertises on its webpage no less than eleven (11) different products listed by the product category “Eau de Vie Mahia”<sup>27</sup> under five (5) different brands See **Exhibit 24**.<sup>28</sup>

*Mahia* products are marketed not only in Morocco, but, the website of G.M. TAIEB, a spirits company listing its location as being in Roanne France, facially categorizes its apertif spirits for sale into the categories of anis, vermouth, boukha, arak, *mahia* and vodka. See **Exhibit 27**,<sup>29</sup> p. 1. The *mahia* category lists one *mahia* product for sale, listing “*mahia*” as the type of *appellation*, or kind of beverage. **Exhibit 27**, p. 2.

This publicly available Internet evidence facially comprises competent specimens of *mahia* being marketed and sold as a type or class of spirits in, at a minimum, Morocco and France.

#### **D. Wikipedia Pages**

Unsurprisingly, Wikipedia pages, as a reflection of public perception and knowledge, and 100% consistent with all the other publicly available evidence submitted herewith,

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<sup>27</sup> “Eau de vie” is a term used for light colored fruit based brandies. See Webster’s Online Dictionary entry for “Eau de Vie” available at [www.websters-online-dictionary.org/definitions/Eau De Vie](http://www.websters-online-dictionary.org/definitions/Eau%20De%20Vie) annexed hereto as **Exhibit 25**; see also “Eau de vie” Wikipedia page, available at [http://en.wikipedia.org/wiki/Eau\\_de\\_vie](http://en.wikipedia.org/wiki/Eau_de_vie) annexed as **Exhibit 26**; Petition ¶¶ 13, 51. Also meaning “water of life,” the term is often used together with or interchangeably with *mahia*. See, e.g., **Exhibits 8** (p.2), **11, 28**, and Dorit Aff. ¶ 9.

<sup>28</sup> See *mahia* products listed for sale on website of Supermarche Marrakech, available at <http://www.supermarche-marrakech.com/achat-en-ligne-liqu-creme-eau,4,6,75.htm>. Petitioner notes, and requests judicial notice of the fact that the products are listed on the site in “DH,” for the Moroccan Dirham, as evidence of use of the term in Morocco or, at a minimum, in connection with Moroccan currency.

<sup>29</sup> Website of G.M. Taieb, available at <http://www.kosher-taieb-wine.com/en/spiritueux.php>, p.2 of Exhibit 27, listing a using *mahia* as an “appellation” available at [http://www.kosher-taieb-wine.com/en/spiritueux.php?type\\_id=1&appellation\\_id=4](http://www.kosher-taieb-wine.com/en/spiritueux.php?type_id=1&appellation_id=4); p. 3 (contact/location page) available at <http://www.kosher-taieb-wine.com/en/contact.php>.

clearly reflect that people in multiple countries and who speak multiple languages know and refer to *mahia* as a class or type of spirit.

Wikipedia entries, if they can be corroborated, and because the non-offering party has an opportunity to rebut them in an adversarial proceeding, are admissible in showing how a term is used or perceived by the public. *In re IP Carrier Consulting Group*, 84 U.S.P.Q.2d 1028, 1032 (T.T.A.B. 2007) (accepting Wikipedia entries as evidence of the public's use and perception of the term "Internet Service Provider," because it was consistent with other evidence of which the Board could take judicial notice).

Here, Wikipedia entries using, defining or referring to *mahia* as a type of distilled alcohol beverage, are consistent with virtually every piece of evidence submitted by Petitioner.

First, the entry in the French-language edition of Wikipedia for "Cuisine Marocaine" or "Moroccan Cuisine," annexed along with a certified translation as **Exhibit 28**<sup>30</sup>, clearly refers to *mahia* as a kind of distilled spirit consumed or produced in Morocco. Indeed, under the heading of "Wine and alcoholic beverages from Morocco" the entry reads: "Mahia (spirits) is a fig alcohol, with an alcohol content of 40%." **Exhibit 28**, p. 3. The entry goes on to list other alcoholic beverages produced in Morocco.

Wikipedia's Hebrew-language edition, annexed along with a certified translation as **Exhibit 29**,<sup>31</sup> in its entry for "Arak," an overlapping category of anise-flavored Middle Eastern spirits it refers to as "produced by a process of fermentation and distillation of grapes or dates," refers also to *mahia* as a term for a type of alcoholic beverage. It reads, in relevant, part that "For the Jews of Morocco, arak is commonly known as mahia." **Exhibit 29**, p. 2.

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<sup>30</sup> Available at [http://fr.wikipedia.org/wiki/Cuisine\\_marocaine](http://fr.wikipedia.org/wiki/Cuisine_marocaine).

<sup>31</sup> Available at <http://he.wikipedia.org/wiki/ערק>, or by entering search term "arak" at [he.wikipedia.org](http://he.wikipedia.org).

These numerous examples indisputably establish and demonstrate the generic status of the word *mahia* in French, Moroccan Arabic and Hebrew and reflect consistent use as such by dictionaries, governmental bodies, sellers of *mahia* in France and Morocco, and by Wikipedia pages in Hebrew and French.

## II.

### **SINCE MAHIA IS GENERIC, MAHIA LE FIG, IS, AT BEST, MERELY DESCRIPTIVE**

Not only is *mahia*, plainly a generic term for a type of distilled spirit, but no genuine issue of fact exists to legitimately contest that “MAHIA LE FIG” currently registered as Registration No. 3234912 is, at best, merely descriptive.

As discussed in detail in Point I.B, the “foreign equivalent of a merely descriptive or generic English word is no more registrable than the English-language term. *In re Oriental Daily News, Inc.*, 230 U.S.P.Q. 637 (T.T.A.B. 1986) (citing McCarthy, *Trademarks and Unfair Competition* §12.13A (2d ed. 1984)). A term is unregistrable as merely descriptive under Section 2(e)(1) of the Trademark Act if it “contains an immediate an immediate idea of an *ingredient*, quality, characteristic, feature, function purpose or use of the goods or services.” *Threshold.TV Inc. v. Metronome Enterprises Inc.*, 96 U.S.P.Q.2d 1031 (T.T.A.B. 2010) (emphasis added) (citing *In re Gyulay*, 820 F.2d 1216, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1987)).

As detailed at length herein, *mahia*, is a generic term for a type of spirits commonly distilled from figs or dates. The Certificate of Registration for “MAHIA LE FIG,” annexed as **Exhibit 30** (the “Certificate”), and the examiner’s amendment “as authorized by Joseph Sutton on September 22, 2005,” annexed as **Exhibit 31** (the “Examiner’s Amendment”), indisputably show that the registration is based on a translation of the “le fig” portion of the “mark” as meaning “of the fig.” The certificate reads, in relevant part that “THE ENGLISH

TRANSLATION OF THE MARK IS WATER OF LIFE OF THE FIG.” See **Exhibit 30**. The Examiner’s Amendment also features the identical passage noting that same is “authorized by Joseph Sutton on September 22, 2005.” **Exhibit 31**.

Therefore, “MAHIA LE FIG” translates to “*mahia* of the fig,” “fig or date spirits of the fig,” or, perhaps less precisely “*arak* of the fig.” In any event, MAHIA LE FIG plainly conveys an immediate idea of an ingredient, quality and characteristic, and describes Registrant’s product as being made or derived from figs. Accordingly, the mark is, at best, merely descriptive and must be cancelled.<sup>32</sup>

### CONCLUSION

As detailed herein, overwhelming and consistent evidence establishes that there is no genuine issue of fact preventing a Board finding that Registrant’s Alleged Trademarks are cancellable because they are (I) generic, and (II) in the case of Reg. No. 3234012, merely descriptive. Alternatively, Reg. No. 3291386 (MAHIA) must be cancelled and Reg. No. 3234012 (MAHIA LE FIG) must be modified, pursuant to Section 18 of the Trademark Act, to contain a disclaimer of the word “MAHIA.”

Accordingly, Petitioner’s Motion for Summary Judgment must be granted in its entirety.

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<sup>32</sup> Petitioner also notes that Registrants’ products are, or were, labeled as being made from figs. See, e.g., **Exhibit 13** (goods bearing “MAHIA LE FIG” also appear to bear the description “Gourmet Fig Arak.”)

Dated: September 7, 2011

Respectfully submitted,

\_\_\_\_\_/adam kotok/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I, Adam Kotok, Esq., hereby certify that, on September 7, 2011, Petitioner's Motion for Summary Judgment with Supporting Brief and Annexed Exhibits is being transmitted electronically to Respondent's Counsel, pursuant to agreement between the parties to accept electronic service to the following email addresses:

jsutton@ezrasutton.com

bgaynor@ezrasutton.com

\_\_\_\_\_/adamkotok/\_\_\_\_\_  
Adam Kotok

Dated: September 7, 2011

**Exhibit 1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD

x-----x

BARON NAHMIAS INC.

*Petitioner*

v.

ATLANTIC BOTTLING, LLC

*Registrant-Respondent*

Cancellation No.: 92053518

In the matter of  
Trademark Registration Nos.:

3291386

3234012

*For the marks:*

MAHIA

Registered: September 11, 2007

*and*

MAHIA LE FIG

Registered: April 24, 2007

x-----x

**AFFIDAVIT OF DORIT NAHMIAS**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF BRONX     )

Dorit Nahmias, being duly sworn, deposes and says:

1. I am President of Petitioner Baron Nahmias, Inc. ("Petitioner") in this matter and submit this affidavit in support of Petitioner's Motion for Summary Judgment. I am fully familiar with the facts set forth herein.
2. On or about June 22, 2010, Petitioner was formed by filing its Articles of Incorporation with the New York Department of State.
3. Petitioner is a corporation formed for the purpose of producing and selling distilled spirits.

4. One of Petitioner's planned core products is *mahia*, a North African-style brandy commonly made from figs or dates.

5. In furtherance of this goal, Petitioner has employed David Nahmias, a native of Morocco who is personally familiar with the methods and customs of producing *mahia*.

6. Petitioner has also expended significant amounts of money and other resources in leasing and building a distillery.

7. Petitioner has also expended significant amount of money in obtaining the relevant licenses and approvals.

8. A true and correct copy of Petitioner's federal permit, issued by the Department of the Treasury – Alcohol and Tobacco Tax and Trade Bureau (the "T.T.B."), and permitting Petitioner to operate as a seller of distilled spirits, distiller, rectifier, warehouseman and bottler is annexed hereto as **Exhibit A**.

9. A true and correct copy of the attachment to Petitioner's application for a permit from the T.T.B. detailing our business in the production of "high quality fruit eau de vie" and "Mahia, an eau de vie distilled from figs," which Petitioner submitted and relied upon in acquiring its permit, is annexed hereto as **Exhibit B**.

10. A true and correct copy of the formula approval for Petitioner's *mahia* product, granted to Petitioner from the T.T.B. is annexed hereto as **Exhibit C**.

11. A true and correct copy of Petitioner's New York State Certificate of Authority to collect sales and taxes is annexed hereto as **Exhibit D**.

12. All of these steps have been taken in preparation and anticipation for producing distilled spirits, including and especially *mahia*.

14. Despite *mahia* being a name of a *kind* of spirit, Petitioner has found out that “MAHIA” and “MAHIA LE FIG” are registered as federal trademarks (the “Registrations”) owned by Registrant.

15. As a result of these wrongful Registrations, Petitioner faces the risk of litigation and related legal proceedings stemming from Registrant’s certificates and their undeserved presumptions afforded by registration.

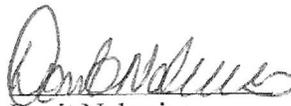
16. Indeed, the continued registration of the Registrations serves to create an unjust and anticompetitive obstacle to Petitioner’s right to call its product by its proper name.

17. As such, Petitioner has a direct commercial interest in this proceeding and believes that it is likely to be damaged by the continued registration of MAHIA and MAHIA LE FIG.

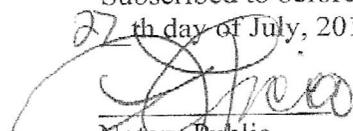
18. Accordingly, Petitioner has standing to bring the instant Petition.

19. Further, in light of the facts detailed in the Petition, in this affidavit, in the Affidavit of David Nahmias, the Declaration of Adam Kotok, Esq., and in all papers, briefs and exhibits submitted in furtherance of the instant Motion for Summary Judgment, the Registrations must be cancelled, or, in the alternative, Reg. No. 3291386 (MAHIA) must be cancelled and a disclaimer entered for Reg. No. 3234012 (MAHIA LE FIG), disclaiming the use of “MAHIA” apart from the mark as shown

Dated: July 27, 2011

  
Dorit Nahmias

Subscribed to before me on this  
27<sup>th</sup> day of July, 2011

  
Notary Public

LISA M. RIVERA  
Notary Public, State of New York  
Qualified in Bronx County  
No. 01RI6221590  
My Commission Expires May 3, 2014

**Exhibit A**

DEPARTMENT OF THE TREASURY - ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

### BASIC PERMIT

(Under Federal Alcohol Administration Act)

1. PERMIT NUMBER

NY-S-15039

2. DATE OF PERMIT

Mar. 27 2011

5. NAME AND ADDRESS OF PERMITTEE (Number and street, city or town, State and Zip Code)

BARON NAHMIAS INC.  
201 SAW MILL RIVER ROAD BLDG C  
YONKERS, NY 10701-5711

3. REGISTRY NUMBER (if applicable)

DSP-NY-15042

4. DATE OF APPLICATION

March 7, 2011



6. TRADE NAMES AUTHORIZED BY THIS PERMIT (Trade name approval does not constitute approval as a brand name for labeling purposes. If needed, list on reverse or use continuation sheet.)

\* Used for Contract Bottling or Packaging/Branding Purposes

7. PERMIT GRANTED FOR (ONE TYPE OF OPERATION ONLY)

Pursuant to the application of the date indicated in item 4, you are authorized and permitted to engage, at the above address, in the business of:

- a.  Distilled Spirits -  distiller  rectifier(processor)  warehouseman and/or  warehouseman and bottler and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the distilled spirits so distilled or rectified, or warehoused and bottled, or the wines so rectified,
- b.  Wine -  producer and blender  blender and while so engaged, to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the wine so produced or blended,
- c.  Importer - importing into the United States the following alcoholic beverages: and while so engaged, to sell, offer to deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so imported,
- d.  Wholesaler - Purchasing for resale at wholesale the following alcoholic beverages: and while so engaged, to receive or to sell, offer or deliver for sale, contract to sell or ship, in interstate or foreign commerce, the alcoholic beverages so Purchased.

This Permit is conditioned upon your compliance with the Federal Alcohol Administration Act; the Twenty-first Amendment and laws relating to its enforcement; all other Federal laws relating to distilled spirits, wine, and malt beverages, including taxes with respect to them; the Federal Water Pollution Control Act; and, all applicable regulations made pursuant to law which are now, or may hereafter be, in force.

This basic permit is effective from the date shown above and will remain in force until suspended, revoked, annulled, voluntarily surrendered, or automatically terminated.

THIS PERMIT WILL AUTOMATICALLY TERMINATE THIRTY DAYS AFTER ANY CHANGE IN PROPRIETORSHIP OR CONTROL OF THE BUSINESS, unless an application for a new basic permit is made by the transferee or permittee within the thirty day period. If an application for a new basic permit is timely filed, the outstanding basic permit will continue in effect until the application is acted on by the Director, Alcohol and Tobacco Tax and Trade Bureau

THIS PERMIT IS NOT TRANSFERABLE. ANY CHANGE IN THE TRADE NAME, CORPORATE NAME, MANAGEMENT OR ADDRESS OF THE BUSINESS COVERED BY THIS PERMIT, OR ANY CHANGE IN STOCK OWNERSHIP (MORE THAN 10%) MUST BE REPORTED TO THE NATIONAL REVENUE CENTER OR PUERTO RICO OPERATIONS OFFICE WITHOUT DELAY.

THIS IS AN  ORIGINAL PERMIT  AMENDED PERMIT

REASON FOR AMENDMENT

DATE OF AMENDMENT

SIGNATURE AND TITLE OF AUTHORIZED TTB OFFICIAL

FOR JOHN J. MANFREDA, ADMINISTRATOR

*Carol Coy*

**Exhibit B**

**Baron Nahmias, Inc.**

**Attachment 2 to TTB 5110.41, Serial no. 1**

**1(c) Statement regarding type of business, persons interested**

Baron Nahmias, Inc. will be a micro-distillery based in Yonkers, New York. It will produce small batch, high quality fruit eau de vie and will be certified kosher. The company's initial product will be Mahia, an eau de vie distilled from figs. With origins in Morocco, this type of eau de vie is extremely popular among the North African and Middle Eastern communities around the world. Baron Nahmias, Inc. plans on producing other spirits in the future.

As president and owner, Dorit Nahmias has 100% ownership interest in the company. Baron Nahmias, Inc. is structured as an S-corporation, under the laws of New York State. Initially, Baron Nahmias, Inc. will employ only Dorit and David Nahmias. David will manage the production of the eau de vie and Dorit will manage the business and marketing side. In the future, Baron Nahmias, Inc. will hire more employees to assist in the bottling and distribution of the products.

**Exhibit C**



**TTB**

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU  
U.S. Department of the Treasury

## Formulas Online

# Formula and Process for Alcohol Beverages

### Main

Paper Submission

Submission ID: 1006320      Date Submitted: 07-07-2011 01:26 PM  
Status: Closed      Disposition: Approved

Create New Formula     Supersede Existing Formula

TTB Formula ID: 1004415      Company Formula #: DSP-NY-15042 - 001  
Company ID: DSP-NY-15042    Company Name: BARON NAHMIA INC.

Commodity: Distilled Spirits      Product Source: Domestic  
Product Name: Mahia

	<b>SUBMITTED</b>	<b>APPROVED</b>
<b>Class/Type:</b>	DISTILLED SPIRITS SPECIALTY	DISTILLED SPIRITS SPECIALTY
<b>Type</b>	Mahia is an eau de vie distilled from	spirits distilled from figs with aniseed added
<b>Description:</b>	fermented figs and or dates which is then distilled with aniseed.	

### Contacts

Address Type	Name	Telephone	E-mail Address
--------------	------	-----------	----------------

Entered by: Dorit Nahmias      Submitted by: Dorit Nahmias  
Created Date: 07-05-2011 01:42 PM

We collect this information to verify your compliance with Federal laws and regulations that TTB administers. The information collected on this form must be considered confidential tax information under 26 U.S.C. 6103, and must not be disclosed to any unauthorized party under 26 U.S.C. 7213.

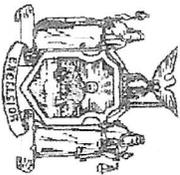
**Exhibit D**

New York State Department of Taxation and Finance  
**Certificate of Authority**

Identification number

**27-2912764**

(Use this number on all returns and correspondence)



**VALIDATED**

**2/22/2011**

Dept of Tax  
and Finance

BARON NAHMIAS INC.  
201 SAW MILL RIVER ROAD  
201 SAW MILL RIVER RD BLDG C  
YONKERS NY 10701-5711

is authorized to collect sales and use taxes under Articles 28 and 29 of the New York State Tax Law.

**Nontransferable**

This certificate must be prominently displayed at your place of business.  
Fraudulent or other improper use of this certificate will cause it to be revoked.  
The certificate may not be photocopied or reproduced.

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DTF-17-A (9/10)

**Exhibit 2**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD

X-----X		
	:	Cancellation No.: 92053518
	:	
BARON NAHMIAS INC.	:	In the matter of
	:	Trademark Registration Nos.:
<i>Petitioner</i>	:	
	:	3291386
	:	3234012
	:	
v.	:	<i>For the marks:</i>
	:	MAHIA
ATLANTIC BOTTLING, LLC	:	Registered: September 11, 2007
	:	<i>and</i>
<i>Registrant-Respondent</i>	:	MAHIA LE FIG
	:	Registered: April 24, 2007
X-----X		

**AFFIDAVIT OF DAVID NAHMIAS**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF BRONX     )

David Nahmias, being duly sworn, deposes and says:

1. I am Vice President of Petitioner Baron Nahmias, Inc. ("Petitioner") in this matter and submit this affidavit in support of Petitioner's Motion for Summary Judgment. I am fully familiar with the facts set forth herein.
2. I was born in Morocco in the city of Taznakht.
3. Multiple members and generations of my family, including myself, produced and sold a fig-based spirit, known throughout Morocco as *mahia*, for more than one hundred years.

4. My family did not invent the term *mahia*. Rather, it is a term that has been used for centuries to denote this type of brandy distilled from figs or dates.

5. However, and despite *mahia* being a name of a *kind* of spirit, Petitioner has found out that “MAHIA” and “MAHIA LE FIG” are registered as federal trademarks (the “Registrations”) owned by Registrant.

15. As a result of these wrongful registrations, Petitioner faces the risk of litigation and related legal proceedings stemming from Registrant’s certificates and their undeserved presumptions afforded by registration.

16. Indeed, the continued registration of the Registrations serves to create an unjust and anticompetitive obstacle to Petitioner’s right to call its product by its proper name.

17. As such, Petitioner has a direct commercial interest in this proceeding and believes that it is likely to be damaged by the continued registration of MAHIA and MAHIA LE FIG.

18. Accordingly, Petitioner has standing to bring the instant Petition.

19. Further, in light of the facts detailed in the Petition, in this affidavit, in the the Affidavit of Dorit Nahmias, the Declaration of Adam Kotok, Esq., and in all papers, briefs and exhibits submitted in furtherance of the instant Motion for Summary Judgment, the Registrations must be cancelled, or, in the alternative, Reg. No. 3291386 (MAHIA) must be cancelled and a disclaimer entered for Reg. No. 3234012 (MAHIA LE FIG), disclaiming the use of “MAHIA” apart from the mark as shown.

Dated: July 27, 2011

*David Nahmias*

David Nahmias

Subscribed to before me on this

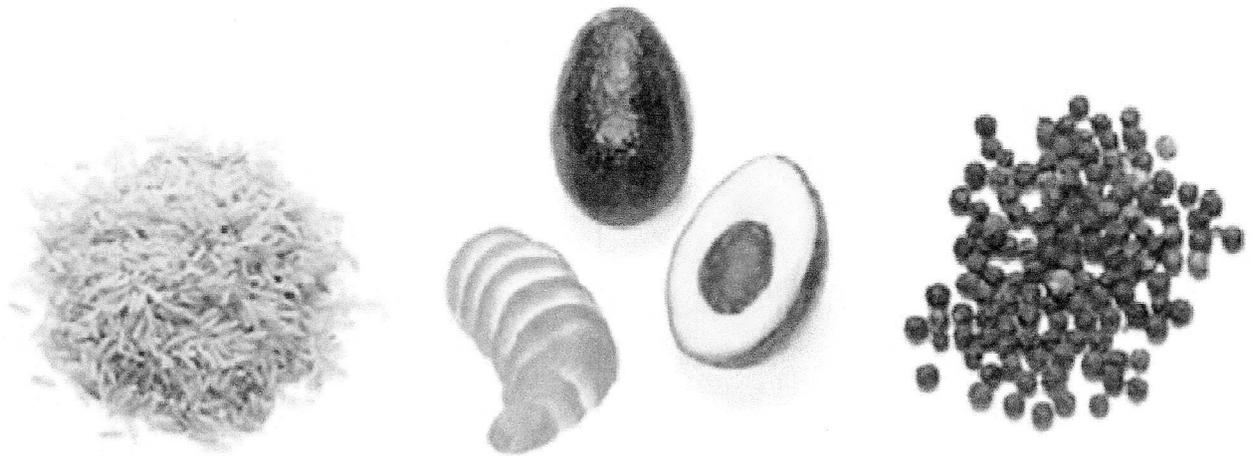
*27* th day of July, 2011

*Lisa M. Rivera*

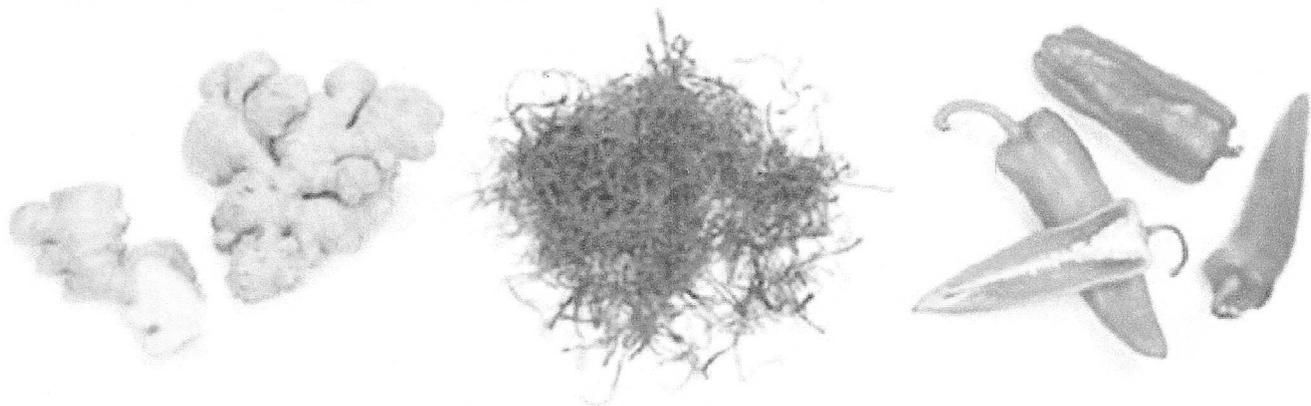
Notary Public

LISA M. RIVERA  
Notary Public, State of New York  
Qualified in Bronx County  
No. 01RI6221590  
My Commission Expires May 3, 2014

**Exhibit 3**



# INTERNATIONAL



# C U I S I N E



Jeremy MacVeigh



**International Cuisine, First Edition**  
**Jeremy MacVeigh**

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alcohol, rennet (used to make many cheeses), gelatin, and carnivores (such as birds of prey and cats), and thus these foods are rarely seen in any North African recipes because the majority of the population are of the Muslim faith (cheeses are produced and consumed but not by the rennet method). In addition to the dietary influences of the Muslim faith, the combination of meat and fruit, the use of dried fruits and nuts as sweetmeats, the use of nuts in thickening sauces, and the technique for making thin pastry and honey-soaked pastries all can be attributed to this period of influence from the Arabic peoples.

### The Jews

Followers of the Jewish faith have lived in northern Africa throughout recorded history, and the dietary customs of these people are one of the influential factors that have resulted in North African cuisine. As with the Muslim faith, Jewish dietary customs or laws dictate a number of aspects in the diets of followers, including abstinence from pork, shellfish, birds of prey, blood, and improperly slaughtered animals (all are also Muslims dietary restrictions), as well as the practice of not working on Saturday. One of the dishes still found in North African kitchens as a result of this Jewish influence is *dafina*, which is a stew that is cooked from Friday until Saturday and eaten for lunch on Saturday. This stew is typically accompanied by *mahia* (distilled fig and anise liquor) and provides for a hearty lunch on the Sabbath (Saturday). Other Jewish contributions include *tabikha*, a beef and onion stew common among Algerian Jews; *bkaila*, a stew of okra and lamb from Tunisia; and *coclo*, large meatballs made from ground veal or beef, rice, and spices, also from Algeria and often eaten with *dafina*.

### The Moors

The Moors were a people composed of mixed cultures: native Berbers from North Africa, Arabs from the Middle East, and native Spanish and Sicilians, all of whom contributed to a culture that flourished in Spain, Sicily, and North Africa. The influence on North African cuisine that derived from the peoples of this period originated mainly in Spain and continued with their relocation to North Africa.

After the conquest of Spain by the Moors in 711 AD, the Moors developed a sophisticated culture and cuisine in Spain during the centuries that followed before being driven out in 1492 AD. This

culture achieved great prominence in the thirteenth and fourteenth centuries and, from the sophisticated culture, a new cuisine evolved. This cuisine is still evident in Spain today and has played a significant role in what has become the cuisine of North Africa—in particular, Moroccan cuisine.

Two separate groups of people were known as the Moors (also often called Saracens): the group that conquered Spain was primarily from Morocco, Algeria, and sub-Saharan Africa, and the group that conquered Sicily was primarily from Algeria and Tunisia. When these groups were expelled from these European countries, they mostly returned to their countries of origin; thus, there is more Spanish influence in Morocco and Algeria, and more Italian influence (Sicilian or southern Italian; see Chapter 4, “Italian Cuisine”) in Tunisia and Algeria.

Just as the Moors were being expelled from Spain, the Spanish landed in the Americas and began to bring back ingredients. There was still a significant amount of trade between North Africa and Spain during this time, and many of the ingredients from the Americas made their way into North Africa long before they were introduced into northern and Eastern Europe. Some of the ingredients that were well received and became common in North African cuisine include tomatoes, peppers, potatoes, and chiles.

### The Ottoman Empire

The Ottoman Empire stretched into northern Africa during its zenith in the mid-1500s and lasted until the 1800s in both Algeria and Tunisia, leaving an impression on the culture and cuisine of this period. The Ottoman Empire, one of the great empires of history, was based in present-day Turkey, which became a culinary hub with great feasts that drew from the traditions of the lands that the empire controlled.

The cuisine that developed in the Ottoman Empire was a blend of native Turkish cuisine, some European influences (the empire spread into Europe to the west), and—probably most significant—Persian cuisine. The Persians had a very sophisticated and well-respected cuisine at this time in history, highly regarded among the Ottoman rulers, and thus it began to permeate the Ottoman culture. These influences were also transferred into North Africa with the Ottoman armies that conquered both Tunisia and Algeria.

Some of the influences of this period that are still evident in the cuisine today include sweet halvas

*mahia* – Fig and anise liquor traditionally taken on holy Saturdays by Jewish followers

*méchoui* – Lamb roasted whole on a spit over a fire

*merguez* – Spiced lamb sausage from Tunisia (also phonetically spelled *mirguez*)

*m'hammer* – Tagine seasoned with cumin and paprika

*m'qualli* – Tagine seasoned with saffron and ginger

*picholine* – Type of small olive common to Morocco (most French picholines are actually grown in Morocco and just packed and labeled in France)

*ras-el-hanout* – Spice blend commonly used in Moroccan cooking

*sabayon* – French term for sauce made from egg yolks, sugar, and fortified wine. In this chapter, the term refers to the use of this base in the production of ice cream in Tunisia.

*sachet* – French term for spices/herbs wrapped in cheese-cloth and added to stocks, sauces, or other liquid preparations

*salata* – Salad

*seksu* – Berber name for couscous

*smen* – Aged and spiced clarified butter that is used as a seasoning, especially for couscous

*tabikha* – Beef and onion stew common among Algerian Jews

*tabil* – Spice blend commonly used in Tunisian cooking

*tagine* – Both the name of a type of cooked food and the cooking vessel used to make the food. A tagine is an earthenware dish with a conical shape and a lid making up approximately the top third of the dish, and a flat bottom section that is placed into an oven to cook the contents in a stew-like manner to yield tender dishes also called tagines.

*warka (or ourka)* – Thin sheets of dough created by slapping soft dough onto a greased pan made especially for this preparation

*zaalouk* – Moroccan eggplant and tomato purée

*zitun* – Olive

### \* Cultural Terms/Equipment

*couscoussier* – Pot and tight-fitting colander combination used to make couscous. The couscous is steamed in the top colander by the food that is cooked in the bottom pot.

*ferran* – A communal oven used to bake breads; once the ovens cooled from the breads, they were used to make tagines and other stewed or simmered foods. These are much less common in North Africa than they once were but still can be found in smaller villages, where the townspeople can be seen bringing specially marked loaves of breads to the ferran to bake in the manner of their liking.

*gedra* – The bottom part of a couscoussier, where the stew cooks while the couscous steams above

*gedra dil trid* – Dome-shaped earthenware piece used to stretch the dough to make the pastry for bisteeya; also called *trid*

*halal* – Foods that are permitted according to the edicts of Islam

*haram* – Foods that are not permitted according to the edicts of Islam

*Islam* – Religion that developed in the Middle East and spread to other areas, including North Africa. The religion has a number of dietary restrictions, including the avoidance of pork, shellfish, and fish without scales.

*Maghreb* – Name for the region of North Africa that includes Morocco, Tunisia, and Algeria. This name derives from the Arabic word for “west.”

*mashbooh* – Foods that are considered questionable, for one reason or another, as to whether they are haram or halal (for example, if lecithin is used in a product, it might not be known whether it derived from a pig or not; thus, it may be considered mashbooh)

*Muslim* – Follower of the Islamic faith

*Ramadan* – Month-long fast observed by Muslims; food is avoided during daylight hours, and specific foods are eaten in the evening

*Shawwal* – Month following Ramadan in the Islamic calendar, during which devoted followers fast for an additional six days

*tagine* – Clay pot with a conical shape, used to cook stews and bake dishes (or breads) over a fire

*tannour* – Conical-shaped outdoor clay oven used to bake breads

- louza** Cured pork loin made by salting and washing the loins followed by a spice rub and air drying; some types are also soaked in wine and given a spice rub before being smoked over burning grape vines. (Greece)
- lutefisk** Air-dried cod treated with lye and rehydrated to form a sort of fish paste; this has long been a part of the Scandinavian diet. (Norway)

## m

- macaroon** Meringue flavored with almond. (France)
- maccheroni alla chitarra** Fresh ribbon pasta made by pressing a sheet of pasta through a metal stringed tool (called a chitarra) that resembles the stringed section of a guitar and slices the sheet into strips of width determined by the amount of space between the metal strings. (Italy)
- macha** Razor clam. (South America)
- mâche** Corn lettuce or lamb's lettuce. (France)
- madeleine** Scalloped, shell-shaped cake with lemon flavor. (France)
- magani** River crab. (Japan)
- Maghreb** French name for the region of North Africa that includes Morocco, Tunisia, and Algeria. This name derives from the Arabic word for "west." (North Africa)
- magroot** Kaffir lime. (Thailand)
- maguery** Agave plants; used to make the fermented beverages tequila and mezcal as well as rope. (Mexico)
- mahia** Fig and anise liquor traditionally taken on holy Saturdays by Jewish followers. (North Africa)
- Mahón** Cow's milk cheese made on the Island of Minorca of the coast of eastern Spain. Mahón can be found in varying stages of maturity, with the younger *semicurado* aged two months, the *curado* aged six months, and the brittle *anejo* aged a year. The longer the cheese is aged, the more pronounced the flavor. Commercial versions of Mahón are now common, with much shorter aging periods and thus significantly less character. (Iberian Peninsula)
- maiale** Pork. (Italy)
- maïtake** Japanese "dancing" mushroom with whitish/grey thin caps used in soups or in broiled dishes. (Japan)
- maíz** (South America) Corn; also called chalo, choclo, elote, jojote, and abati.  
(Iberian Peninsula/Mexico). Corn.
- maíz cau** Another name for *choclero*. (South America)
- maíz jora** Dried, sprouted, and fermented corn used to make beverages. (South America)
- maíz morado** Dried purple corn from Peru used to make drinks and desserts. (South America)
- ma kham** Tamarind. (Thailand)
- makheua muang** Eggplant. (Thailand)
- maki-mono** Rolled sushi; this style usually is made with nori, but other ingredients are used to encase the rice and fillings. (Japan)
- makisu** Bamboo mat used to make sushi rolls. (Japan)
- malloreddus** Small gnocchi made from semolina and colored and flavored with saffron. (Italy)
- malossol** Lightly salted; the most prized caviars are this type, where the eggs are fresher from not being salted as heavily as some lower grades. Beluga, osetra, and sevruga all can be found in this form. (Russia)
- mamão** Papaya. (South America)
- mămăligă** Polenta. (Romania)
- Manchego** Hard sheep's milk cheese that is probably the best known of the Spanish cheeses. (Iberian Peninsula)
- mandioca** Cassava (Portuguese term). (South America)
- mandorla** Almond. (Italy)
- manioc** Cassava; type of tuber common in the tropical area of South America. (South America)
- manouri** Mild, soft sheep's milk cheese. (Greece)
- manteca** Pork fat, lard. (South America)
- manti** (Turkey) Oval-shaped pasta with an open pouch, filled with various stuffing (usually ground lamb) and poached in broth.  
(Russia) Filled steamed dumpling, or a dumpling baked in a tomato broth, typically filled with spiced ground lamb mixture; from Central Asia.
- mantou** Steamed bun. (China)
- manzana** Apple. (South America)
- manzo** Young ox. (Italy)
- maonias** Brine-cured black olive. (Greece)
- maranon** Cashew. (South America)
- marc** Type of distillate made from the fermentation of leftover skins or grapes from wine making. (France)
- marinieren** To marinate. (Germany)
- marinovannye griby** Marinated mushrooms. (Russia)
- mariscos** Shellfish. (Mexico)
- mark karm** Tamarind. (Laos)
- Maroons** Spanish name given to African slaves who escaped to the mountains of Jamaica; these people were believed to have developed the tradition of jerk cooking in the Caribbean. (Caribbean)
- Marsala** Fortified wine produced in Sicily. (Italy)
- marzapane** Almond paste made from almond, sugar and eggs; called "marzipan" in the United States. (Italy)
- masa** (Mexico) Dough made from corn that has been cooked and cleaned with slaked lime, which removes the tough and difficult-to-digest outer bran of the corn kernel. This dough is used extensively in Mexican cuisine to make everything from tortillas, tamales, and enchiladas to sopes.  
(Colombia/Ecuador) Dough made from dried corn treated with alkali.
- masala** (England) Name of Indian-inspired dish of meat (often chicken) cooked in a spiced tomato/yogurt sauce and usually served with rice.  
(Indian subcontinent) Spice mixture.
- mascarpone** A very rich cream cheese made originally in the Lombardy region. (Italy)
- mashbooh** Foods that are considered questionable, for one reason or another, as to whether they are haram or halal (for example, if lecithin is used in a product, it might not be known whether it derived from a pig or not; thus, it may be considered mashbooh). (North Africa)
- maslo** Butter. (Russia)
- masoor dal** Red-orange lentils. (Indian subcontinent)

**Exhibit 4**

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ENCYCLOPEDIA OF  
JEWISH FOOD

ENCYCLOPEDIA OF  
**JEWISH FOOD**



GIL MARKS



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*To my parents, Beverly and Harold Marks for their love and support*

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the band Teapacks had a hit song "Rikudei Amba" (Pickled Mango Dancing). *Amba* is now widely available in Israeli groceries, with some brands made in the country and others imported from India and Australia. It is commonly offered at stores selling *sabich* (Iraqi eggplant sandwich), *shawarmah* (roasted lamb and turkey), and falafel.

### ANISE

Anise, also called aniseed, is indigenous to the eastern Mediterranean. It is not mentioned in the Bible and there is a question as to whether the Talmudic plant *shivta*, *shevet* in Hebrew, denotes anise or dill. Confusion between the two herbs was common in ancient times, as evidenced by the fact that the Greek name for the plant *anison* (anise) derived from *aneton* (dill). Romans greatly valued anise as a medicine and a seasoning, spreading it and its applications throughout the empire.

Anise contains anethol, an essential oil. The seeds resemble fennel, but anise seeds are smaller and slightly sweeter, and have a more pronounced licorice flavor. Fennel is typically used in savory foods, such as sausages, while anise is added to sweeter dishes. Star anise (Chinese anise), which also possesses a licorice-like flavor, is a different spice.

Today, anise is particularly popular in the Mediterranean area, where it is used, in both whole or ground form, in fish soups, pasta sauces, confections, cookies, puddings, and peach and plum desserts. Anise is added to various baked goods, such as the Moroccan Sabbath bread *khboz*, the Italian pre-Yom Kippur bread *il bollo*, Italian biscotti, and the German soft cookie *anisplätzchen*. Italians make anise-flavored yeast fritters for Hanukkah. Strong anise-flavored liquors abound in the Mediterranean, including Middle Eastern *arak*, Greek ouzo, Turkish *raki*, and French pastis, as well as the milder liqueur, anisette. Moroccans brew a homemade alcoholic drink from figs and anise called *mahia* (water of life).

(See also Arak)

### ANISPLÄTZCHEN

Anisplätzchen are drop cookies strongly flavored with anise.

**Origin:** Germany

The German *plätzchen*, meaning "little place/spot," is a synonym for cookie, and is otherwise

known as *keks* and *gebäck*. There are many varieties of *plätzchen*, but arguably the most well-known are these favorite anise drops, which are claimed to have originated in the city of Dresden. During baking, they form their own hard white icing on top. The soft yellow bottom part is known as *fuesschen* (little feet). Part of the cookies' appeal, besides the anise flavor, is that they can be prepared well ahead of a holiday. Those who prefer a less-pronounced anise taste add less seeds.

### GERMAN ANISE DROP COOKIES (ANISPLÄTZCHEN)

ABOUT SIXTY 1-INCH COOKIES

[PAREVE]

1½ cups plus 2 tablespoons (8 ounces) all-purpose flour

½ teaspoon double-acting baking powder or  
⅛ teaspoon ammonium carbonate (baker's ammonia)

½ teaspoon salt

3 large eggs

1 cup plus 2 tablespoons (8 ounces) sugar,  
preferably superfine

2 to 3 teaspoons anise seeds or 1 teaspoon anise extract

1. Grease and dust with flour 3 large baking sheets. Sift together the flour, baking powder, and salt. In a large bowl, beat the eggs until light and fluffy, 5 to 10 minutes. Gradually beat in the sugar, then continue beating for 20 minutes. Stir in the flour mixture and anise.

2. Drop the batter by heaping teaspoonfuls about ¾ inch in diameter onto the prepared baking sheets, leaving 2 inches between the cookies. Let stand at room temperature, uncovered, overnight or for up to 2 days. This step is critical for the icing to separate.

3. Preheat the oven to 325°F.

4. Bake until golden on the bottoms and creamy on the tops, about 10 minutes. Transfer the cookies to a wire rack and let cool completely. Store at room temperature in an airtight container with a large slice of apple.

### APPAM

Appam are grain mixtures cooked as fritters, cakes, and bread puddings.

**Origin:** India

**Other names:** *aappam*, *apam*, *appadam*, *hoppers*, *paddu*.

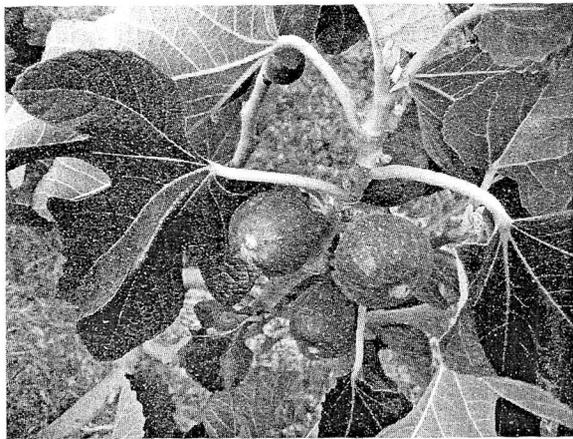


Fig harvests in Israel signal the beginning and end of summer.

mud, "By the thing which they were corrupted were they redressed." The fig is represented prominently in Jewish literature and tradition; only the grape is mentioned more often in the Bible or Talmud. Figs are among the Seven Species with which the land of Israel is praised. The biblical term "under his fig tree" has become a symbol of peace and prosperity.

The common fig is native to the eastern Mediterranean. Remains of dried figs from the Neolithic Age were uncovered in Gezer, near present-day Ramla. The average fig tree lives fifty to ninety years, but can survive for more than two centuries. The fig's multi-branched, dense summer foliage provides more shade than that of other trees of comparable size. The fig tree's bark is smooth and grayish. Its wood is unexceptional; it is relatively soft and subject to decay and, therefore, of little use in building. The wood was, however, the type preferred in the Temple for fueling the altar and making charcoal for the incense. Rashi explained that just as the fig's leaves were the very first items employed by humans for self-improvement, so should the wood be used by Adam's descendants to achieve self-improvement.

Female fig trees of older varieties generally produce two crops every year. The two fig harvests not only mark the summer season in Israel, but also give the season its Hebrew name, *kayitz*; summer begins with the arrival of the first figs and ends with the arrival of the second harvest. Breba, the lesser early crop, which is called *bakkurot* in Hebrew, begins appearing

on the trees even before the yearly leaves, around the vernal equinox (March 21), and ripens around Shavuot (June). One of the signs of spring recounted in Song of Songs is "The fig tree has formed her *paggim* [green figs]." Late figs, which are the main crop and are called *te'anim* in Hebrew, ripen around the month of Elul (August to September), at about the same time as the date harvest. Each season, weather conditions, such as a cool summer or a prolonged drought, affect the maturation of figs, as well as the amount and size of the fruit. Hence even on the same tree, the harvest differs from year to year. A mature tree yields forty to fifty pounds of fruit annually for about fifty years.

Immature figs are hard, smooth, and flavorless. Figs must be fully ripened on the tree to possess the appropriate sweetness and flavor. Ripeness cannot be judged by color or size. There are several indications of ripeness: when they smell mildly sweet, soften slightly when they are touched, and start to bend at the neck. Some varieties exude a single drop of syrup from the bottom. Very mature figs tend to exhibit cracks in the skin and bruise easily; ironically, perfect-looking fruits tend to lack flavor. Rain during ripening can cause the fruit to split, so an early arrival of the rains in Israel can prove disastrous for the crop.

In biblical times, figs were cultivated throughout the land of Israel and fresh or dried figs were part of the daily diet. A common way of preparing dried figs for storage was to chop them and then press them into a mass; the resulting fruit cake was called *develah* (pressed together). Fresh figs were also squeezed and the pulp was boiled down to make a thick honey-like syrup, although that role was more commonly filled by dates. Today, Sephardim and Mizrachim use fresh and dried figs in salads, jams, and pastries, but the favorite way to eat them is simply plain. Among Jews in the Maghreb, fig brandy is sometimes used instead of wine for reciting the Kiddush on the Sabbath. This spirit is known in Morocco as *mahia* (water of life).

#### FILLING/FULLUNG (ASHKENAZIC PASTRY FILLINGS)

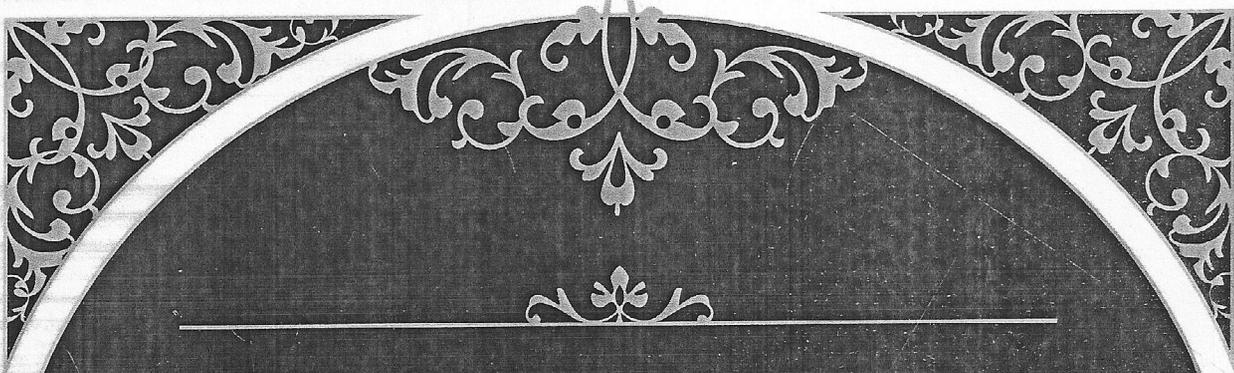
Since ancient times, filled pastries have served as a way to mark the significance of an occasion or, in more mundane uses, have helped to uplift leftovers or efficiently exploit scarce foods to make a tasty

**Exhibit 5**

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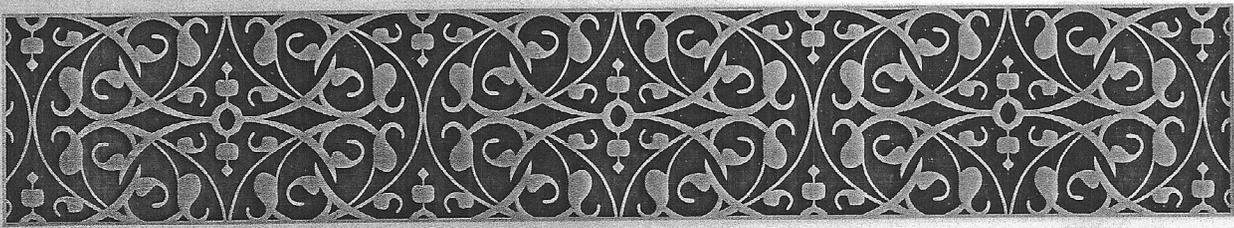


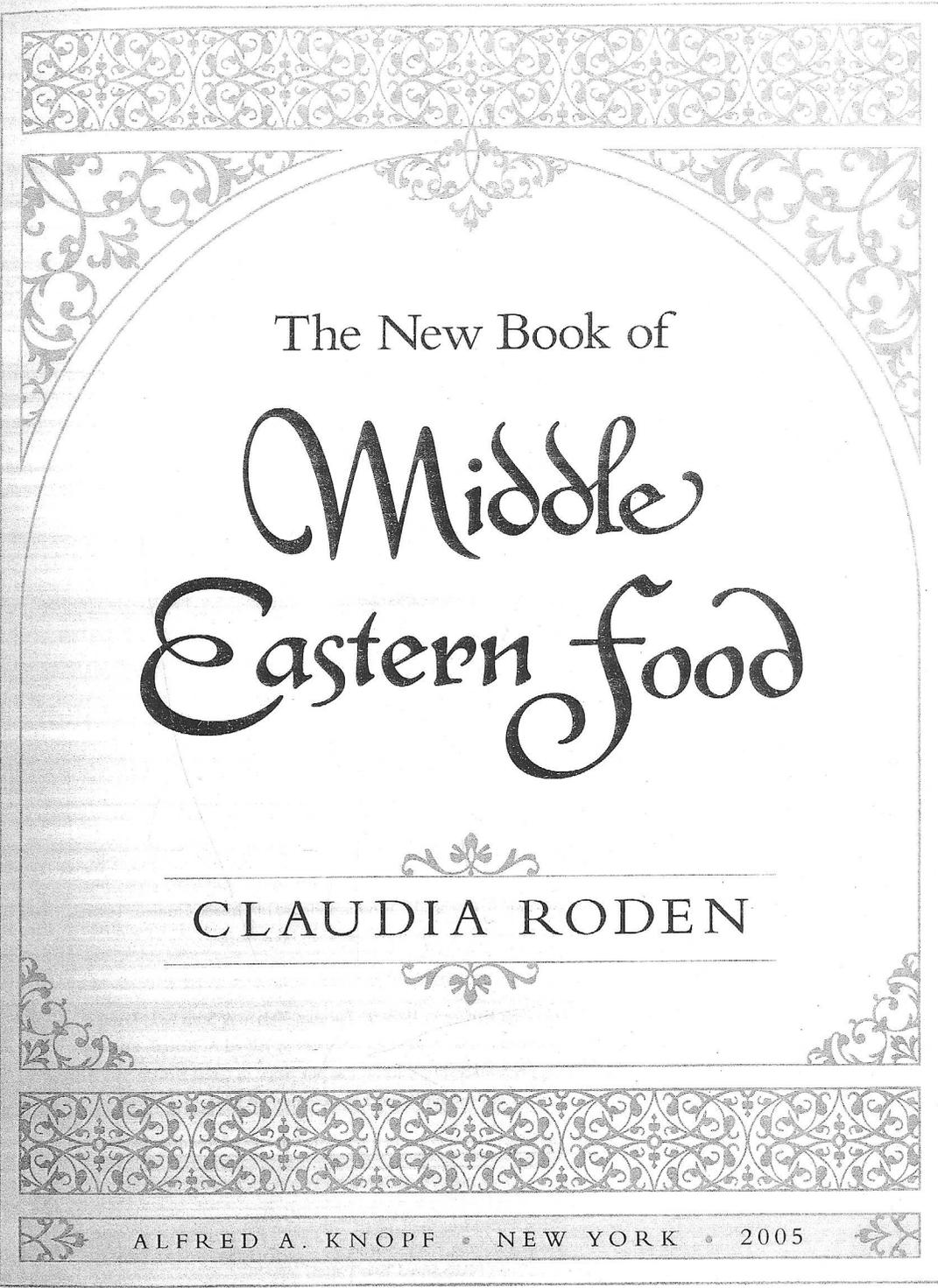
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THE NEW BOOK OF

Middle  
Eastern Food





The New Book of

# Middle Eastern Food

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CLAUDIA RODEN

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ALFRED A. KNOPF • NEW YORK • 2005



THIS IS A BORZOI BOOK  
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sonal taste and it is the one seasoning that people know how to dose and have an "eye" for even before tasting. (See "About Salt," on page 63.) It is best to start with less and add more later.

It is quite possible to substitute oil for butter in most dishes without spoiling them, and onions and garlic may be used abundantly, or omitted entirely if you don't like them.

You can be flexible in the way you plan menus. Mezze, or appetizers, can be served with drinks, as a first course, or as side dishes. You can make a casual meal out of two or three, accompanied by bread and perhaps cheese or yogurt and olives, and a large assortment can be offered at a buffet party. The traditional drinks served with appetizers are arak (or raki), the anise-flavored spirit distilled from grapes, and the Moroccan mahia made with figs or dates. Beer too goes well with appetizers. For those who do not take alcohol, fruit juices or chilled yogurt beaten with water or soda are traditional alternatives.

You can make a meal out of a soup accompanied by bread. A pie or an omelet—both of which can be quite substantial—can also serve as a one-course meal. For most of the fish dishes you may use alternative kinds of fish. Feel free to use a cheaper fish or one more easily available than the one suggested. Lamb is the traditional meat of the Middle East, but beef or veal can be used instead; and in many recipes, such as stews, meat and poultry are interchangeable. Rice, couscous, and bulgur are the staples of the area and make a good accompaniment to many dishes.

Vegetarians will find a great many ideas to make up wonderful meals. The best way to end your repast is with fresh fruit, or with dried fruit and nuts. Puddings and pastries are for special occasions.

Most Middle Eastern meals begin with mezza, but these are not always served at the table. Sometimes there is a separate mezza table. When my father came home from work, all the family settled in the large balcony and waited for Awad the cook to bring in the drinks tray. There was arak or whisky or beer and an assortment of little bites—pieces of cheese or botarga, salted almonds, olives, pickled turnips, sticks of cucumber, radishes. At the risk of spoiling our appetite, we wolfed down the food as we watched the feluccas gliding slowly by on the Nile and listened to my father's account of his day in the Mouski. When we had guests, the array of usually elaborate delicacies that was served as mezza could be extraordinary. There were grape leaves and a variety of stuffed vegetables, fillo cheese cigars and meat triangles, little fish balls, meatballs, fried eggplant, vegetable omelets cut into squares, and all kinds of dips and salads. In the kebab houses and the cafés by the Nile, the menu had a standard list of mezza always the same and not very long. It included hummus and tahina, eggplant purees, falafel, and grape leaves.

The mezza tradition developed as a way of soaking up the drink arak, a refreshing but powerful distilled liquor made from sweet white grapes flavored with aniseed. It is called raki in Turkey and ouzo in Greece. In Iraq, dates are used to make it, while the national drink of North Africa, boukha in Tunisia and mahia in Morocco, is made from figs. The drink, affectionately called "lion's milk" because it turns cloudy when water is added, is mixed with cold water (one part arak to two of water) and served with a chunk of ice. Sometimes two glasses—one containing arak, the other iced water—are served together, to be sipped alternately.

The cooks at the Sultan's palace in Istanbul reputedly produced more than two hundred different types of mezza. Each country developed its own local specialties. In North Africa they are called "kemia." The list of foods which have come to represent mezza in the West through Lebanese and Turkish restaurants was born in the mountain resorts in the Lebanon, where arak is produced, and in the old-style meyhane—the taverns or drinking houses of Istanbul. But other types of foods are also offered as mezza in the home. I have given here a selection of those most commonly known in several different countries, but you will find many more in the chapters on savory pies, egg dishes, pickles, vegetables, meat, chicken, and fish. *Kibbeh*, for instance, and cheese cigars are famous mezza.

For a meal, following our Western way of eating only one first course, it is fine to have only one or two mezza, but for a large party when you are ready to invest more time in cooking, it is exciting for the guests to be offered a variety. A large selection of mezza makes an ideal buffet meal. Some dishes, like the Tunisian *meshweya* and the Turkish *piasz*, make a snack meal on their own, served with bread. In the recipes which follow, quantities given are usually quite large, designed for people who will be offered only one or two as a Western-style first course, so reduce the quantities if you are serving a large variety.

Salads and cold vegetable dishes are present at every type of Middle Eastern meal, both as hors d'oeuvre and as accompaniments to the rest of the meal, so serve them as a first course or together with the main dish.

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**Exhibit 6**

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# **MAHIA**

Garrett, Theodore Francis (edited by). 1898. the Encyclopedia of Practical Cookery. L. Upcott Gill, 170, Strand, W.C. London. Vol. II

is an Arabian spirit distilled from dates.

---

**IMAGES**

**FREQUENTLY ASKED QUESTIONS**

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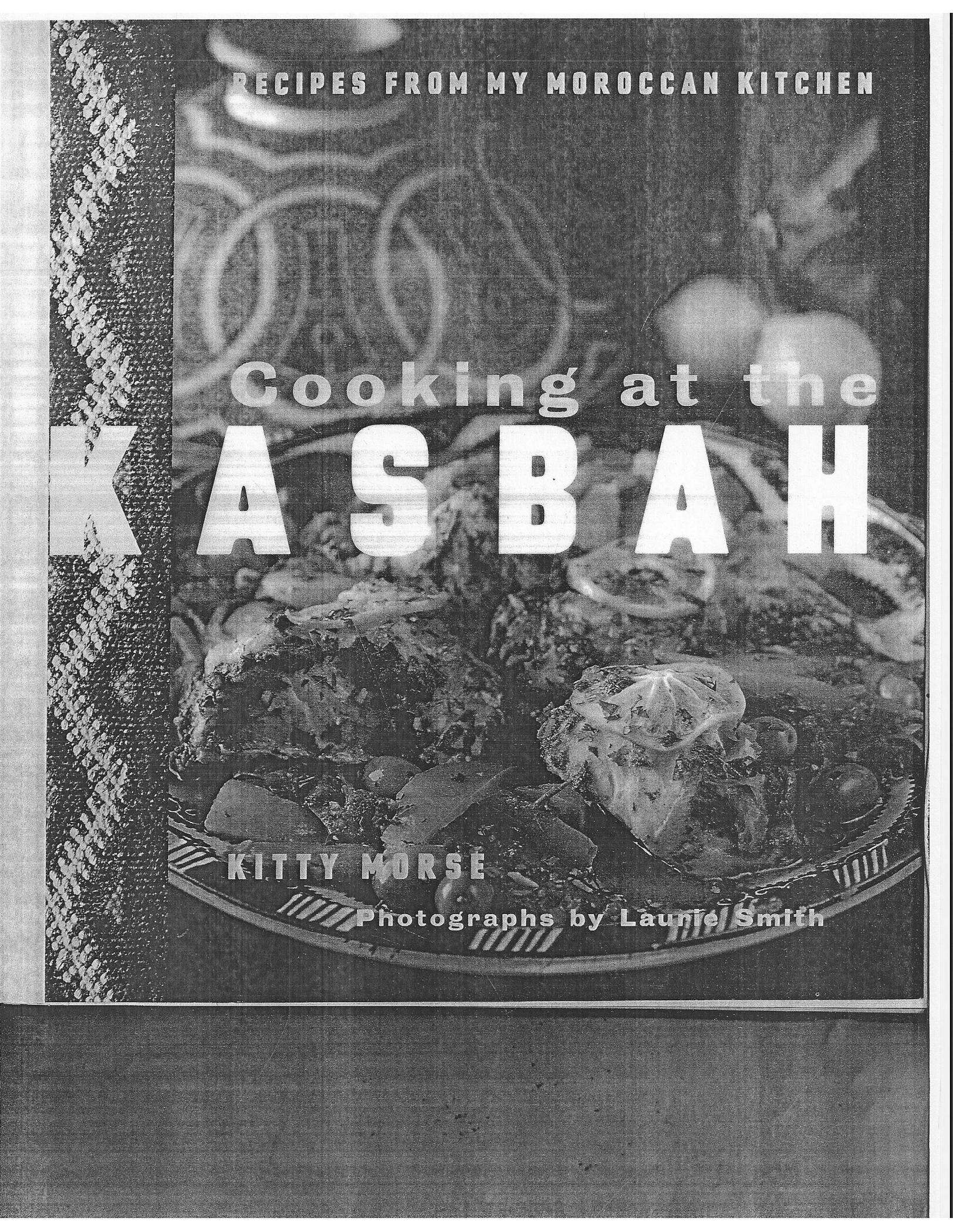


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Morse, Kitty

Cooking at the kasbah : recipes from my



RECIPES FROM MY MOROCCAN KITCHEN

Cooking at the  
**KASBAH**

**KITTY MORSE**

Photographs by Laurie Smith

*Author's dedication*

## **In memory of my father**

*Photographer's acknowledgments*

The collaborative spirit among all who helped me to capture Kitty's beautiful food on film was extraordinary. The authenticity of the photographs would not have been possible without Kitty and Owen's gracious invitation to photograph at their home, using their precious collections from Morocco as props and having their invaluable guidance in helping me to get it just right. I give my heartfelt thanks to Kitty for her generous and cheerful offer to cook her very own food; to Owen for his enthusiastic and unparalleled role as jack-of-all-trades; to Deborah Madison for her vision and perfect sync as assistant, stylist, and friend; to Stella Long for her helping hands; to Laura Lovett and Chronicle Books for their belief in my photographic style; and as always, I embrace Bobby, Jamie, and Elizabeth for letting me be three wonderful things: a wife, a mother, and a photographer.

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# DAFINA

## Sephardic Sabbath Stew

Dafina is served in Moroccan Sephardic homes on the Sabbath. The word *dafina* derives from the Arabic *dfenn* (to bury). Each family's clay pot of stew was traditionally buried in the coals of the public oven on Friday at noon, and retrieved the following day in time for the Sabbath lunch. My great-grandmother Maman Darmon was well known for her delicious dafina, fragrant with ginger, mace, and nutmeg. When her guests had feasted to their heart's content, she would offer everyone a small glass of her homemade *mahia*, a potent Sephardic digestif distilled from figs, dates, or raisins.

**Serves 6**

- |  |  |
|--|--|
| <b>½ cup chickpeas, soaked and drained (see page 33)</b> | <b>¼ cup pearl barley</b>  |
| <b>3 pounds beef chuck, cut into 2-inch pieces</b>       | <b>3 cups beef broth</b>   |
| <b>1 beef marrow bone</b>                                | <b>½ cup water</b>   |
| <b>1 whole head of garlic, outer papery skin removed</b> | <b>10 threads Spanish saffron, toasted and crushed (see page 32)</b> |
| <b>6 onions</b>  | <b>2 teaspoons ground mace</b>                                       |
| <b>6 potatoes, peeled and quartered</b>                  | <b>½ teaspoon freshly grated nutmeg</b>                              |
| <b>2 yams, peeled and cut into 1-inch cubes</b>          | <b>½ teaspoon ground cinnamon</b>                                    |
| <b>6 prunes, pitted</b>                                  | <b>Salt and freshly ground pepper to taste</b>                       |
| <b>6 dried apricot halves</b>                            | <b>3 eggs in shells, washed</b>                                      |

Preheat the oven to 325 degrees F. In a large cast-iron pan or enameled casserole, combine the chickpeas, beef, beef bone, garlic, onions, potatoes, yams, prunes, apricots, barley, and broth. In a small bowl, mix the water with the saffron, mace, nutmeg, cinnamon, salt, and pepper. Pour over the meat. Place the eggs in the pan.

Cover with a lid or aluminum foil and bake until the meat is tender, 2 ½ to 3 hours. Increase the oven heat to 400 degrees F. Remove the lid and bake until the top of the stew turns a rich caramel color, 25 to 30 minutes. Transfer the eggs to a bowl to cool. Shell the eggs and cut them in half. The whites will have a mottled brown appearance (see Note).

Mound the meat in the center of a large platter. Spoon the remaining stew around the meat. Garnish with the egg halves and serve.

**Note:** To keep the egg whites white, cook the eggs separately, placing them in a small pan of slowly boiling water for 10 to 12 minutes. With a slotted spoon, transfer them to a bowl filled with cold water. Let cool for 10 to 15 minutes. Remove the shells and cut the eggs in half.

**Exhibit 8**

Arabic Liquor  
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## review: Tamrirt

**March 4th, 2009**



- Category: *fig brandy (flavored with aniseed)*
- Alcohol: *41%*
- Origin: *Morocco*
- Manufacturer: *Chai Andrieux*
- Bought at: *Supermarket Marrakesh, Morocco (thanks Renée!)*

This bottle of mahia is interesting for the accumulation of languages on the label: french, english, berber, hebrew, and only only marginally arabic. The hebrew reminds of the (once sizeable but now rather small) Jewish population of Morocco. This population traditionally were (and are) the manufacturers of spirits such as these. The Hebrew simply says the name “tamrirt”. I have not been able to find out what the Berber word “Tamrirt” actually; Google vaguely tells about a valley in Algeria, but more information is appreciated. The smell is similar to that of the French mahia Meknesiah (rather aniseed). However after tasting it becomes clear that the Mahia Meknesiah is of a completely different quality. Tamrirt is not *The best of spiritueux* as the label argues; instead it is intensely bitter and chemical. The question is whether there is any way of concealing the taste in order

to make it consumable. However I dare not to try. It is probably even worse than the Finlandia Vodka of Cairo, which results in the lowest rating until now 1,5/10.

[1 Comment »](#) | Category: [Aniseed](#), [Country: Morocco](#), [Figs](#), [Reviews](#)

## review: Mahia Meknesiah

**February 19th, 2008**



- Category: *fig brandy (flavored with aniseed)*
- Alcohol: *36%*
- Origin: *France*
- Manufacturer: *Thivolet Universal*
- Bought at: *Naouri kosher supermarket, Nice, France*

Mahia (which means water of life in Arabic) is originally a Jewish Moroccan fig brandy. As the Anisette Phénix, it is now produced in France. Nevertheless other brands are still available in Morocco (see the second external link). It apparently exists either as a pure eau de vie of figs (as the Tunisian Boukha) or flavored with aniseed. This Mahia Meknesiah is flavored with aniseed, but it is very subtle, completely unlike arak, pastis or ouzo where anise is overwhelming. In any case the aroma is rather similar to boukha, but it is much fruitier en more fragrant. The taste is also much better than boukha. It should definitely not be diluted with water. It tastes fresh and fruity and the anise flavor gives a very nice and subtle touch. 8,5/10.

*External link:* [M.G. Taieb Kosher Products](#)

*External link:* [Dafina Forums: Mahia \(in French\)](#)

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## About

### February 8th, 2008

This page is dedicated to the various liquors and spirits from the Arab world. Contrary to what is often believed, many Arabic countries produce alcoholic drinks. Most is produced in Egypt, Lebanon and Syria, but North African countries (Morocco, Algeria, and Tunisia) also produce beer, wines and spirits. The spirits can be categorized in two groups: the spirits which have traditionally been distilled in the Arabic countries (such as Arak, Boukha, and Mahia) and the spirits which are based on imported drinks (such as Whisky, Rum, and Vodka), and this site tries to focus more on the traditional Arabic spirits, the first group.

For any questions or comments please mail [info@arabicliquor.com](mailto:info@arabicliquor.com)

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**Exhibit 9**

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drinks from around the world !!

About Me



Drinks

I am Bassam Mouzouni i am 21 years old and i live in marbella , and i will show you some drinks that i appreciated during my time here !!

[View my complete profile](#)

Tuesday, February 8, 2011

White Spirit or Mahia

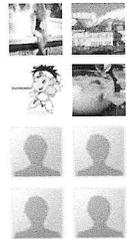


White spirit or Mahia is a moroccan jewish drink made of distilled prunes mixed with an anise taste and its effect is very strong , its usually a cheap drink in morocco but in hotels around the world the minimum price for a shot is 15 euros. It has a 47% degree of alcohol and can get anyone drunk in no time. The best way to serve it is with a zest of orange juice and some grenadine and ice . Enjoy :)

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**Exhibit 10**



Welcome



*Israel Preker*

In the last few years there has been an explosion of wine culture in Israel. There are many new wine stores all over Israel and numerous different types of wine, grape varieties & wine growing regions. Israelis are hungry for information, and wine appreciation courses are over subscribed. Many wine lovers have become winemakers, making their own wines, at home or in the garage. There are now well over 100 wineries in Israel – from those producing millions of bottles, to the garagiste producing a few thousand. The quality is at worst international standard and at best, even world class.

Only in 1996 the wine consumption in Israel was 3.5 liters a head; by 2009 it had doubled to 7 liters a head. The local market is worth US \$ 170 million a year. Exports of Israeli wines increased in the last years . It is a small, vibrant, & successful industry with a variety and quality that will surprise those who have not visited Israel recently.

During my own visits to Israel's wineries, I have discovered an amazing new world, in which hundreds of people with the same passion have dedicated themselves to studying, enjoying & producing wine. It is almost as if their veins flow with wine not blood ! They talk about wines with the shining eyes of a fanatic and but also with a love that is greater than passion.

My personal discovery is that behind every simple bottle of wine there is a fascinating story; every bottle contains a soul which is alive as it changes & develops. Believe me, producing wine is not an easy thing to do.

I got the bug of this seductive business and have grown to love & appreciate both the stories of the people who make wine & the places where it is made. I have realized that only after fully understanding the background, is it possible to really appreciate the wine in the glass.

For the benefit of all the winemakers and the wine lovers - and also for me personally, I have decided to build this internet site: [www.Wines-Israel.com](http://www.Wines-Israel.com) . It was initially launched in Hebrew only, but I have now introduced an English section.

Many hours have been dedicated to build this site; there is still a long way before us.

It seems as if the wine stories and inventions in the Israeli wine industry will never end – new wineries seem to open daily.

I am an engineer by profession, working in the electronic field during the week and at the weekends I switch hats, change my way of thinking and enter the spirit & atmosphere of the world of wine.

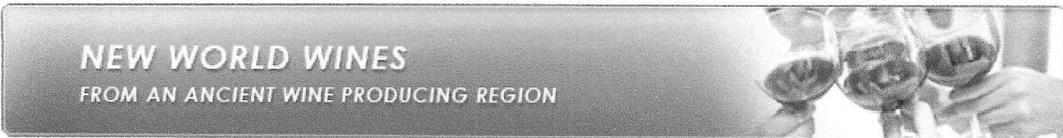
Everything I am able to find about Israel wine, its vineyards, its viticulturists & winemakers, you will be able to find in this site which is dedicated to the wonderful product which I am so proud of: Israeli wine!

Please do not hesitate to contact me by email to give your opinion or to ask for information. I receive emails from all over the world and I would be happy to hear from you too. This site is a one man

Hebrew עברית Русский



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>> [Articles](#) » [General](#) » [Israelis Get A Taste For Alcohol](#)

29.09.2008 ,

[Rogov's Place](#)

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[J.Post Wine Talk](#)

[Archive](#)



Jews are noticeably abstemious and throughout the ages have been far more associated with eating than drinking. Yet curiously there has always been a strong Jewish representation in the drinks industry. In Eastern Europe of the 19th century, Jews were involved in the production and sales of alcoholic beverages – it was one of the few industries Jews were permitted to be involved in. In America there has always been a very strong Jewish presence in the retail and wholesale drinks business - from the days of Prohibition in the 1930's until today.

Yet in the early years of Israel, the inhabitants just did not drink anything, except, occasionally, a glass of sweet red wine, but only in moderation. Apart from the ritual use of a sweet wine, people would occasionally drink a spritzer – white wine and soda. Alternatively there was also a popular beverage called Malt Beer. It was dark, sweet, malty, but without alcohol and totally unlike beer. Most Israelis preferred Coca Cola and Sprite. However this has all changed in the last 15 years with a new drinks culture brought in by new immigrants, coinciding with the import of big global, well advertised, spirits and beer brands.

As the youth aspire for Israel to become more like America, new quality bars and pubs have spread like wild fire in places like Tel Aviv, Haifa – and even reaching Jerusalem. Young Israelis leaving the army, are more than likely to study at one of the many bartending courses, then find work as barman to earn much needed money to finance travel and later, studies. This has created a whole new wave knowledgeable drinks connoisseurs.

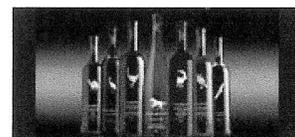
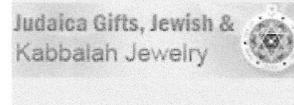
The main Israeli produced alcoholic beverage brands, which are each historic in their own way, are:

- Carmel** (founded 1882) – wine
- Gold** (founded 1824) – vodka, arak
- Goldstar** (launched 1950) – beer
- Stock** (launched 1938) – brandy
- Sabra** (launched 1963) – liqueurs

Reflecting the melting pot of Israel, each has their own unique story. Involved in their beginnings were two Rothschilds from France, a Bronfman from Canada, an Italian and a family from Russia. Furthermore, until today, each remains the largest selling Israeli produced product in their category

The three main spirits of Israel are vodka, arak and brandy.

**Vodka**



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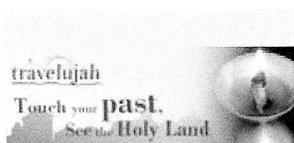
• I buy Israeli wines in my country (Not for Israelis)

- Yes
- No

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Today by far the largest selling spirit in Israel is vodka. A taste for vodka was initially bought over with the Ashkenazi new immigrants from Eastern Europe. The latest influx from Russia in the 1990's further increased its popularity. Young Israelis drink vodka with Red Bull and the older generation are more likely to have it with a standard mixer. Those from Eastern Europe still drink their vodka ice cold in a single shot glass, usually with food.

Gold Vodka is the best selling and best quality Israeli vodka. The Gold family came to Safed from Russia in 1824 having been distillers in Russia in the 18th century. After 1918 they began to build their distillery into a commercial concern. Joseph Gold & Sons is now situated at Tirat Ha'carmel. It is not only Israel's oldest distillery still producing vodka, but also the only one for whom distilling has remained the core business.

Up to now Israeli vodkas have appealed only to those who buy on price. There has never been the ambition to create a quality, premium, de-luxe product, nor have budgets been available to support the creation of a really successful Israeli brand. Furthermore, since imports opened up, there are not only inexpensive imported vodkas on the market but also all the big global brands – including Absolut, Finlandia, and Smirnoff - have invaded Israel and they dominate sales. As result Israeli produced vodkas have far smaller market share and are less important than before.

### **Arak**

The indigenous spirit of Israel is Arak. This is from the root word Raki, which is of Arabic origin. In fact the distillation of spirits was an Arab invention in the Middle Ages. Arak is an anise flavored spirit which turns milky white when water is added. It is the ethnic spirit for most Mediterranean countries and is similar to the French Pastis, Turkish Raki, Greek Ouzo, Egyptian Zabib, North African Mahia, Spanish Ojen and Armenian Oghi. The Lebanese also call it Arak.

Arak is usually enjoyed in cafes as an aperitif or to accompany mezze – Eastern Mediterranean hors d'oeuvres, and is most popular with Sephardi and Israeli Arab communities. The Alouf (50%) and Elite (40%) Araks, made by what is incongruously called Yekev Hagalil (Galilee Winery), are the best produced in Israel. Gold is the parent company confirming their position as the best Israeli producers of white spirits.

Israel has never managed to capitalize on Arak as the local, ethnic spirit with tourists in the same way as the Greeks have succeeded in doing with Ouzo. However it remains an authentic taste of the region, but there is now more competition. Some Lebanese Araks are now available in Israel and these are the best of all the anise flavored spirits. They are distilled three times from a base product made from grapes. Israeli Araks tend to be made from molasses.

### **Brandy**

Like most wine producing countries, Israel is very proud of its brandies, which have also enjoyed a fair amount of success internationally.

The brandy with the highest profile is Stock 84 Brandy. Stock is a famous international company, founded in 1884 by an eighteen year old Lionello Stock in Italy. The Jewish owned company settled in Trieste and was a great success until the rise of Hitler & Mussolini. Then the distilleries were pillaged, closed or nationalized. Because of this, Lionello Stock, had to rebuild his company again towards the end of his life and chose to make a start in other countries like America ... and Israel. In 1938 he began to produce brandy in Ramat Gan. Their Stock 84 Brandy, now a major international brand, is still made in Israel under license by Barkan Winery, which is owned by Tempo Breweries.

Carmel began distilling excess grapes to produce brandy in 1898. Their distillery tower, at Rishon Le Zion Cellars, was built in the '1930's and their four pot stills and two continuous stills date from the founding of the state. Carmel's brandies are aged in barrels previously used to mature fine wines, in the original 100 year old barrel cellar, which still has the original wooden slatted roof. They produce the Carmel Extra Fine, 2 year old, which is Israel's oldest brand of brandy, and the label has barely changed over the last 60 years. *More-well known is the Carmel 777 Brandy, 3 year old, once known*

as Richon 777. This is a mere 50 years old and is the most exported Israeli brandy. The 'three sevens' were chosen because of the importance of the number seven in the Jewish religion.

However there are better quality brandies in Israel, which have received the ultimate recognition. Both Jonathan Tishbi Brandy and Carmel 100 Brandy, 9 year old, have won the Trophy for 'Best Brandy Worldwide' at the International Wines & Spirits Competition in London! This is a great compliment to Israel, but despite the pride of success at the highest possible level, brandy sales in Israel have been declining for a number of years. The older generation are loyal to Israeli brandies, but the new young sophisticated drinkers are more interested in whisky.

### **Liqueurs**

Perhaps Israel's most famous 'spirit' is the award winning range of Sabra Liqueurs, which are known as 'The Liqueurs of Israel'. Sabra was developed in the 1960's by Charles Bronfman, one of the owners of drinks giant Seagram. The unique bottle was a copy of a Phoenician wine flask found in a Tel Aviv museum. The word 'Sabra' is the slang for a native born Israeli – prickly on the outside, sweet on the inside.

Initially the liqueur was genuinely made from the Sabra cactus and was slightly pink in color. This was swiftly replaced by the more successful and unique Sabra Chocolate Orange liqueur, which is likely to be included on any respectable list of the world's best liqueurs. This has been a best seller in Duty Free at Ben Gurion Airport for the last 40 years.

Grand Sabra is a new addition to the range. This is an orange brandy liqueur, made from kumquat oranges, macerated in three year old Carmel 777 Brandy. There is also a Sabra Coffee. All three liqueurs are made from natural ingredients.

Sabra Liqueurs are mainly popular as gifts from Israel but also used for cooking, making cocktails or as after dinner drinks. Out of all the Israeli spirits and liqueurs, it is arguably Sabra that has gained the best international reputation. They have won gold medals against the world's best brands in the most prestigious international competitions.

Carmel produced Sabra on behalf of International Distillers of Israel (the Israeli marketing arm of the mighty Seagram) for many years, and then purchased the brand in 2003 when Seagram was split up and sold.

### **Beer**

Wine was the staple of ancient Israel, not beer, (whereas brewing was more common in Babylon.) However beer jugs fitted with strainers have been discovered, indicating that the Philistines enjoyed beer.

The oldest beer brand in Israel is Neshet, which was first produced in 1934 in a company called Palestine Breweries, situated at Carmel's Rishon Le Zion Wine Cellars! This was a joint venture involving a Frenchman Gaston Dreyfus of Paris, who was supported by James Rothschild and PICA. There was a wall separating the winery from the brewery and the workers used to meet there to barter wine for beer and vice versa. Palestine Breweries was successful during the time of the British Mandate because the British knew how to drink beer. When the British left, the industry declined.

Eventually the Palestine or Neshet Brewery closed and other breweries opened in Migdal Ha'Emek and Netanya. It was not until 1985 when Tempo, previously a soft drinks company, decided to enter the beer industry and brought all the different strands under one roof to form Tempo Beer Industries Ltd.

Arguably the finest Israeli beer is Tempo's Goldstar. This was originally produced in the brewery situated at Rishon Le Zion Cellars in 1950. It is a Munich style, dark amber lager with a malty aroma and a full flavor. It has more character than some of the more famous international brands.

In 1995 Coca Cola Israel built a new brewery in Ashkelon in a joint venture with the Danish brewer Carlsberg and they now produce Carlsberg and Tuborg under licence. The Israeli beer market has since also been affected by the globalization of the drinks industry. The country is awash with

**Exhibit 11**

# Home Distillation of Alcohol

By Tony Ackland

[Introduction](#) | [Theory](#) | [Equipment](#) | [Preparing Wash](#) | [Distilling](#) | [Flavouring](#) | [Aging](#) | [Resources](#) | [Wiki](#) | [Forum](#)

## Preparing Wash

- Which Wash to Make
- Sugar Based
  - Neutral Alcohol
  - Initial Specific Gravity
  - Yeast Nutrients
  - Acidity
  - Yield
  - Max. Sugar
  - Concentration
  - Poteen
  - Molasses
  - Rum
  - Honey
  - Mead Brandy
  - Maple Syrup
  - Lactose
  - Sugar
    - Introduction
    - Monosaccharides
    - Disaccharides
    - Polysaccharides
    - Relative Sweetness
    - Attenuation
    - Effect on Alcohol
    - Sweetness
    - Inverting Sugars
- Grains
  - Which Grains to Use
  - Grain Yield
  - Grain Yield Details
    - Mash Efficiency and Yield
    - Maximum Yield
    - Typical Yield
    - Mash Efficiency
    - Planning Malt
    - Quantities
  - Malting
    - Gristing
    - Mashing
    - Mashing without
    - Cooking
    - Basic Whisky Recipe
- Enzymes
- More Recipes
  - Poitin
  - Tennessee Whiskey Recipe
  - Bushmills Black Bush Recipe
  - Moonshine Recipes
  - Sourmash
  - Scotch
  - Vodka
  - Rice
- Fruit
  - Types of Fruit &

measure."

*As a rough estimate this might be equivalent to 200 grams of aniseed for 1 litre of 40%abv or 1/2 tsp of aniseed oil/litre 40%abv assuming an essential oil yield of 1.5%.*

### Moroccan 'Mahia'

*In Tunisia the local specialties are 'Boukha' or fig brandy (eau-de-vie de figue) and a date liqueur called 'Thibarine' (possibly named after the Thibar mountains?). What about those contemplating to go to Morocco? 'Mahia' is the local Moroccan spirit. A 1848 source says that it is distilled from dates, although it could be a local generic name for an eau-de-vie made from various things. Like the Lebanese 'Arak' it is anise flavored. The Turkish 'Raki' which is similar to Arak was once made from grape pomace but these days is made from raisins. Mulberries were sometimes used also. "The restaurant sometimes has available mahia, or home-made l'eau de vie, the anise-flavored drink for which Moroccan Jews are well-known." 'Jewish Morocco' <http://rickgold.home.mindspring.com/page17.html>*

*Dates are a good source of sugar (70%), so I decided to make my own Mahia using dates which I obtained at the equivalent of \$US1.50/kg or about \$US1/lb. A malt extract (70% sugars) costs double that price. I made a mash giving the equivalent of 300 g sugar/l, using Lalvin EC- 1118 yeast which can tolerate 18%abv:*

### Moroccan 'Mahia' (20 litres or 5 US gal)

*5 kg (11 lbs) dates - washed and sterilized with boiling water (This amount of dates is equivalent to 3.5 kg of sugar.)*

*2.5 kg sugar (5.5 lbs) (The dates and added sugar gives the equivalent of 300 g/l sugar.)*

*1 kg crushed aniseed (This amount of aniseed would give the equivalent of about 200 g/l of aniseed to the final alcohol of 50%abv.)*

*40 g Lalvin EC-1118 yeast*

*20 g DAP yeast nutrient*

*I decided to use the crushed aniseed in a single distillation as I would be producing a distillate of 75%abv which should still retain a lot of flavor.*

[Back To Top](#)

## Grappa

Wal also writes about [Grappa ...](#)

*Rum is made from the waste material (molasses) from sugar processing. Grappa is made from the waste material*

**Exhibit 12**

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# OHC: OMNIVORE HERBIVORE CARNIVORE

"BE NEAT AND ORDERLY IN YOUR LIFE, LIKE A BOURGEOIS, SO THAT YOU MAY BE CREATIVE AND VIOLENT IN YOUR WORK." FLAUBERT.

TUESDAY, AUGUST 7, 2007

## Mahia.... I just met a drink named Mahia....



Did you know that it's illegal to distill liquor in the United States? I was reading about this in the last issue of American Vogue, in which Jeffrey Steingarten tried to distill some sort of apple liquor only to find out halfway through that what he was doing was against the law.

Anyway, I protest! The common man should be allowed to make liquor! So should the common woman! So should the common child

for god's sake: this is not the 18th century. (Actually, in the 18th century, children could distill liquor, but that's a topic for another post.)

The reason this came up is that I'm working on a cookbook idea with my aunt - big secret, no details! - and I was looking into the question of distilling one particular drink, as seen at left.

*Mahia* is a fig liquor that was distilled, usually by Jewish merchants, in North Africa. It's impossible to find in North America and today T. and I are finishing off the last of the *mahia* that a friend brought back from Morocco a few years ago. (She takes a long swig.)

TWEET TWEET

#C19 panel and paper proposals due in one month. keep 'em coming! 2 days ago  
follow me on Twitter

YEAH, SO COOL....



..or at least trying hard to be.

FRIENDIE LINKS

- Fake Chinese Rubber Plant
- Hopeless But Not Serious
- Nalo Hopkinson
- Planned Obsolescence
- The Dinner Files
- Voyeurella
- Writing Maternity

FOODIE LINKS

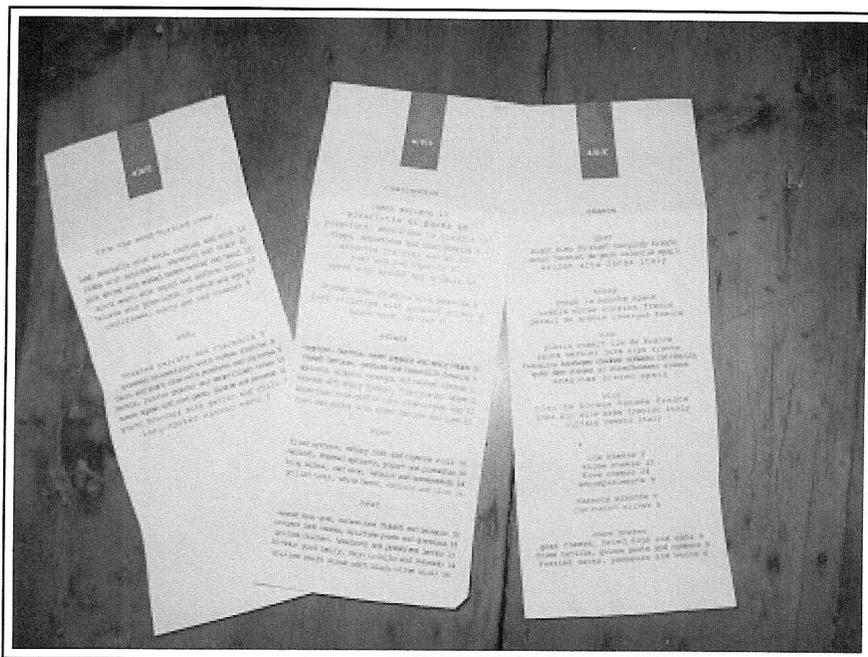
Unfortunately there are hardly any Jews left in North Africa anymore so it's a bit hard to find...

Moonshine anybody?

POSTED BY KYLA AT 7:45 PM 2 COMMENTS LINKS TO THIS POST

SATURDAY, AUGUST 4, 2007

### AOC: A-OK



Yes, I know, AOC has been open for a while. But I've been under a rock for two years and am only now emerging. On the Chow Los Angeles boards these days AOC-bashing is the sport of Spoiled Southland Foodie Trendoids, as in: AOC: most overrated place in LA?, or, Is AOC over the hill?

Whatever to you, SSFTs! T. and I loved AOC, and plan to go back before we move. AOC is a small plate restaurant

A quick summary of our order:

- assorted fra'mani salumi
- apricots, arugula, manchego, and toasted almonds
- asparagus vinaigrette with slow-cooked egg
- long-cooked cavolo nero
- morels, ricotta gnocchi and amontillado cream

- 101 Cookbooks
- A Chicken in Every Granny Cart
- A Finger in Every Pie
- A Slice of Cherry Pie
- A Year at Oak Cottage
- Accidental Hedonist
- Accidental Scientist
- Amuse Bouche
- An Obsession With Food
- Becks and Posh
- Belly Timber
- Cake Spy
- Chef Zadi
- Chez Pim
- Chocolate and Zucchini
- Chubby Hubby
- Confessions of a Restaurant Whore
- Cooked Books (the NYPL)
- Cream Puffs in Venice
- Cuisiner en Ligne
- Curd Nerds
- David Leibovitz
- Delicious Days
- EatLocalChallenge
- Endless Banquet
- Everybody Likes Sandwiches
- Food and Garden Dailies
- Give Me Some Food
- Green Olive Media
- Grub Street
- Hand to Mouth
- Hand to Mouth Kitchen Press
- Hannah's Country Kitchen
- <http://www.restaurantwhore.com/>
- Hungry in Hogtown
- I'm Cooked - cooking videos

**Exhibit 13**

# Kosher Blog

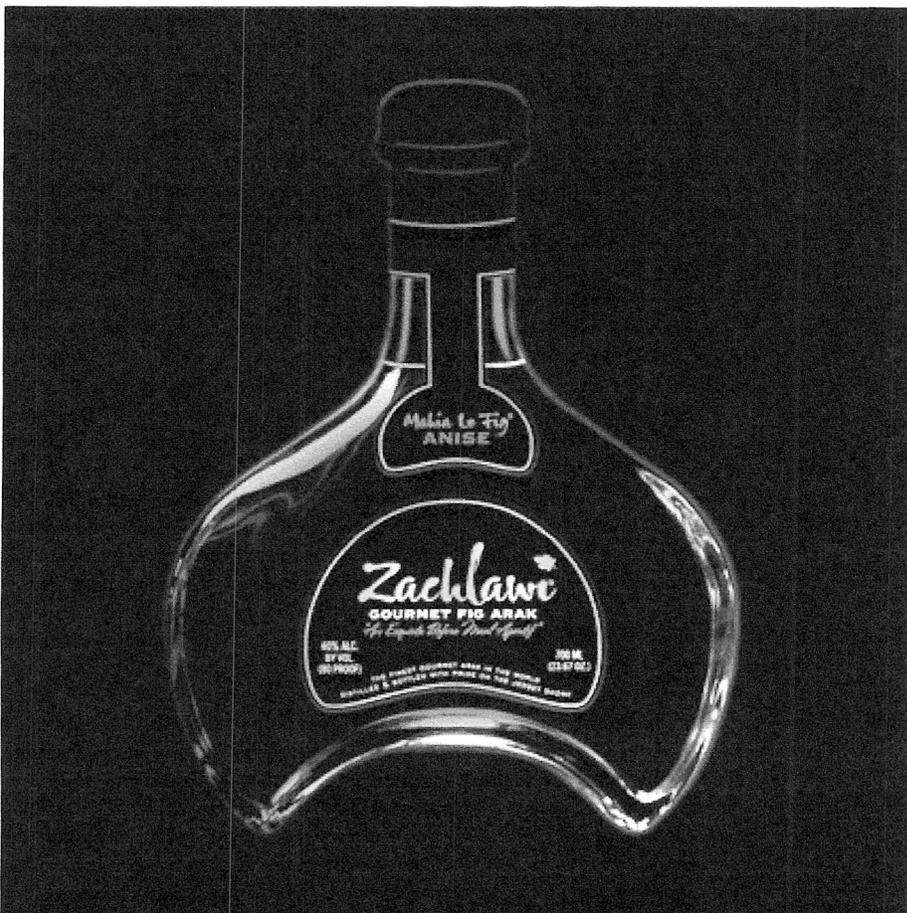
27 August 2007

by Jonathan Abbett

## A visit to the Zachlawi Arak factory

*Rabbi Avi Finegold recently visited the Zachlawi Arak factory in New Jersey to see their production run and hear about upcoming products. Here is his report.*

Mordechai Kairey decided to produce arak, a fig-based liqueur also known as *ma'hia* (pronounced “mach-i-ya”), after obtaining a recipe from his former landlord, an elderly Sephardic man who used to make homebrew arak for his friends. Armed with this recipe, Kairey studied at the Ethanol Technology Institute and he was off. The main component of his arak is a concentrated fig juice that he distills to make a lightly fruit-flavored spirit, which is then distilled five times with a combination of fennel, anise seeds, and star anise — which he tells me was used in the arak made by the famed Abuchatzeira family. This is all cooked in a copper still. much like mash is cooked for scotch and bourbon.



To create a truly fine drink, one needs to have a good nose and palate. The first spirits off the still are called “heads” and are not of the same quality than the later spirits. A series of tastings determine at which point the right taste is achieved and bottling can begin.

This is definitely not your typical light aperitif. For those of you who have never had arak, know that it packs a serious punch. At 86-proof and above, this definitely qualifies as a serious alcoholic beverage, yet there is much less harshness than one would expect, and there is a definite fruitiness to it. This is enhanced even more in the Zachlawi “Fig” variety, a darker, richer and smoother option. While traditionally served straight up — when I asked Kairey how he thinks it should be drunk, he responded “With good friends!” — it can be served over ice, which turns the liquid a milky white, and I can

easily imagine some great mixed drinks, if that's your thing. Kairey also mentioned that he knows of people who use it as a marinade for chicken kabobs with excellent results.

So, what's in the pipeline for Zachlawi? In the coming weeks, they will be releasing a kosher sambuca — an Italian-style anise liqueur — and shortly thereafter, they'll have a *pareve* Irish Cream ready to be bottled. Longer-term plans include a caramel-apple liqueur to coincide with Rosh Hashana. Kairey also has a cask of arak aging in the factory — he has “no idea” what he's going to do with it yet, but I imagine it will result in a much smoother and darker arak. (Though I would opt for a seasoned cask for such aging, kashrut issues likely preclude him from doing that).

Right now the product is only available in New Jersey and New York, though he hopes to be distributing throughout the northeast and other Jewish markets shortly. Visit his website at [www.zachlawi.com](http://www.zachlawi.com) for more information, and product updates.

**As a bonus to Kosher Blog readers**, I have a Zachlawi t-shirt ready to mail out to the first person who emails me at *avi at avtherav dot com* and tells me what “ma'hia” means.

¶

## 6 comments

23 March 2008  
penina

I believe  
Ma chi ya  
most likely means to revive  
from Arab or Hebrew

Moroccans caal it Ma-hya

4 May 2008  
CLAUDE LEVY

I LIKE TO BUY A CAISE , WHERE I CAN FIND,(WITH THE FIGS )

19 June 2008  
David Soffar

I worked at Red White and Bubbly in Brooklyn. They've had the Fig Arak for quite some time now and have a great price on the Zachlawi product. Go to <http://www.redwhiteandbubbly.com> or call 718-636-WINE for prices and shipping info.

24 June 2010  
murry setton

i cannot find zahlowi fig arak. please let me know where i can buy a few bottles.either in n.y. or n.j.?

27 October 2010  
WineGuy

Use Wine-Searcher.com to locate this product!

28 November 2010  
memi kaplan

hi, my name is memi, from a.a pyup Company  
Our company deals with the price of kosher wines and alcohol, I was interested in purchasing some five boxes of your arak, I would be happy if you tell me who should I contact us.  
Thanks in advance  
memi 972-0523431468

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**Exhibit 14**

April 5, 111 Tuesday 9 Nisan 3871 7:46 IST

# THE JERUSALEM POST

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Photo by: Courtesy

## Wine Talk: History in a bottle

By ADAM MONTEFIORE  
09/02/2011

Reflecting the melting pot of Israel, each alcoholic beverage produced here has its own story that goes hand in hand with the story of aliya.

Carmel, Gold, Elite, Stock, Sabra and Goldstar are familiar names to students of Israel's wines, spirits and beers. These brands have each had a part to play in the unfolding history of Israeli alcoholic beverages over the years.

Reflecting the melting pot of Israel, each has its own story. Involved in their beginnings were two Rothschilds from France, a Bronfman from Canada, an Italian and a family from Russia.

### Wine

Carmel was founded in 1882 by Baron Edmond de Rothschild of Paris. It is the oldest commercial winery in Israel and arguably the most famous Jewish brand in the world. Carmel was Israel's first brand and was also its first exporter. The country's first electricity and telephone were at Carmel and no less than three future prime ministers, including David Ben-Gurion, once worked there. The story of Carmel really matches the story of Israel. Carmel remains Israel's largest winery.

Israeli wines have received international acclaim. Many may be considered genuinely world class and they are undoubtedly the most successful of our alcoholic beverages, bringing nothing but credit to Israel.

### Vodka

The largest-selling spirit in Israel is vodka. The Gold family came to Safed from Russia in 1824, having been distillers in Russia in the 18th century. After 1918 they began to build their distillery into a commercial concern. Joseph Gold & Sons is now situated at Tirat Hacarmel. Gold is the best-selling Israeli vodka.

The vodka market is growing, but the importance of Israeli-produced vodkas has become marginalized with all the cheap imports and the strong presence of the global mega brands.

### Arak

The indigenous spirit of Israel is arak. It is the ethnic spirit for most Mediterranean countries and is similar to the French pastis, Turkish raki, Greek ouzo, Egyptian zabib, North African mahia, Spanish ojen and Armenian oghi. The Lebanese also call it arak.

The Alouf (50%) and Elite (40%) araks are produced by what is incongruously called Yekev Hagalil (Galilee Winery), which is also owned by Gold & Sons. Elite arak is still to be found in most kiosks and bars in the country.

Arak is undergoing a revival. There are new quality araks produced in Israel such as El Namroud and Kawar, but arak is unlikely either to achieve the sales potential of Greek ouzo or to reach the status here that it has in Lebanon.

#### Brandy

Stock 84 brandy has a special story. Stock was founded in 1884 by the 18-year-old Lionello Stock in Italy. The Jewish-owned company settled in Trieste and was a great success until the rise of Mussolini. Then the distilleries were pillaged, closed or nationalized. Because of this, Lionello Stock had to rebuild his company towards the end of his life and chose to make a start in other countries like America ... and Israel. In 1938 he began to produce brandy in Ramat Gan and it became the largest-selling brandy in Israel. Its Stock 84, still a major international brand, is made under license in Israel by Barkan Winery, which is owned by Tempo.

Israeli brandies are very good, if somewhat forgotten. Both Jonathan Tishbi and Carmel 100 won the Trophy for Best Brandy Worldwide at the International Wines & Spirits Competition in London. These were tremendous achievements for Israel. However, the brandy market is declining. Young adults prefer vodka or whiskey.

#### Liqueurs

The first Sabra liqueur was developed in 1963 by Canadian Charles Bronfman, one of the owners of drinks giant Seagram. The unique bottle was a copy of a Phoenician wine flask found in a Tel Aviv museum. Sabra Chocolate Orange was followed by Sabra Coffee, and Grand Sabra is the latest addition to the range. This is an orange brandy liqueur made from kumquat oranges macerated in three-year-old 777 Brandy. Sabra liqueurs are mainly popular as gifts from Israel but also used for cooking, making cocktails or as after dinner drinks.

Sabra liqueurs won three gold medals at the IWSC in London, which showed they are liqueurs of the highest international quality.

#### Beer

The oldest beer brand in Israel is Neshet, which was first produced in 1934 by a company called Palestine Breweries, situated in the Rishon Lezion wine cellars! This was a joint venture involving Frenchman Gaston Dreyfus and James Rothschild. There was a wall separating the winery from the brewery and the workers used to meet there to barter wine for beer and vice versa. Palestine Breweries was successful during the British Mandate because the British knew how to drink beer. When the British left, the industry declined.

Arguably the finest Israeli beer is Goldstar. This was originally produced in 1950 at the brewery situated at Rishon Lezion cellars. Now owned by Tempo, it remains the national beer of Israel and is of international quality, but is unknown outside Israel.

So wine is the alcoholic beverage that has proved the best ambassador for Israel overseas. Until today, Carmel wines, Gold vodka, Elite arak, Stock brandy, Sabra liqueurs and Goldstar beer remain the largest-selling Israeli brands within their categories.



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**Exhibit 15**

September 7, 2011 Wednesday 8 Elul 5771 11:17 IST



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# THE JERUSALEM POST

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Photo by: Courtesy

## Lion's Milk

By ADAM MONTEFIORE  
25/05/2011

It looks like water, tastes of anise and turns milky white when water is added. Arak, the indigenous spirit of the Mediterranean, is perfect for the summer.

The indigenous spirit of our region is arak, which means sweat in Arabic. This presumably refers to the condensation that takes place during the distillation process.

Arak looks like water, tastes of anise and it turns milky white when water is added. It is similar to the French Ricard and Pernod, the Turkish raki, the Greek or Cypriot ouzo, the Macedonian mastika, the Egyptian zabib, the North African mahia, the Spanish ojen, Italian sambuca and the Armenian oghi. In Lebanon, Jordan, Syria and Israel, it is called arak.

The most famous of them all is Lebanese arak, commonly called "lion's milk." Michael Karam in his excellent book *Arak and Mezze* describes the annual cycle. The Lebanese grape grower would initially use grapes for food. What he couldn't eat, he would use to make wine. When the wine started to deteriorate in the spring, he would distill it to make arak. Thus wine was consumed in the winter, whilst arak became a summer drink.

Authentic arak is made only from white grapes, and the base wine is distilled three times. The anise is added during the second distillation. (The best anise is said to come from the Syrian village of Hina.) After this the arak is aged in clay jars. The finest arak comes from the Beka'a Valley village of Zahle, which is to arak as Bordeaux is to wine. Hence the use of the name Zahlawi to denote the best Lebanese-style arak.

Arak is usually enjoyed in cafes and bars as an aperitif or to accompany mezze. It should be drunk in a long glass, one third arak, one third water and one third ice, added in that order. A sprig of mint may be added for taste or to enhance the presentation. Alternatively arak may be used for cocktails or for cooking. Arak and grapefruit juice is a favorite long drink of mine, and many a fish soup or stew has been improved with a touch of the lion's milk.

There has been a recent revival of arak in Israel, led by some traditional and new players. The Gold family of distillers came here in 1824 from Ukraine. They received a license from the Turks in 1879 and the Gold Distillery was founded. Also known as Galilee Wine Cellar, it is now based in Tirat Carmel. It is the largest of the Israeli distilleries. Its main brands are Alouf and Elite.

The Segal family settled here in 1925, having been distillers in White Russia. After the founding of the State, they went into the wine business. One of their old products, the Askalon Extra Fine Arak is still available.

Kawar Arak first appeared in Jordan 70 years ago. The Nazareth branch of the family has recently opened a distillery in Tzipori to bring its quality product to Israel. The label features a portrait of the founder, the great-grandfather of the current generation, Iskander Kawar. It produces a high-quality, clearly defined range of araks.

The El Namroud Distillery is owned by a Christian veteran of the South Lebanese Army who settled in Israel. It is situated at Moshav Goren in Western Galilee. He makes an authentic Lebanese arak, bringing his country's expertise to Israel.

Both Kawar and El Namroud are high quality. If I had to differentiate, I would say the Kawar araks have a very slight sweetness to them and that the anise flavor of the El Namroud araks is more pronounced.

Other araks available are Haddad from Jordan and Ramallah Extra Fine Arak, but the best are the Lebanese versions. Touma arak is a bestseller and El Massaya in its distinctive blue bottle may be the best quality.

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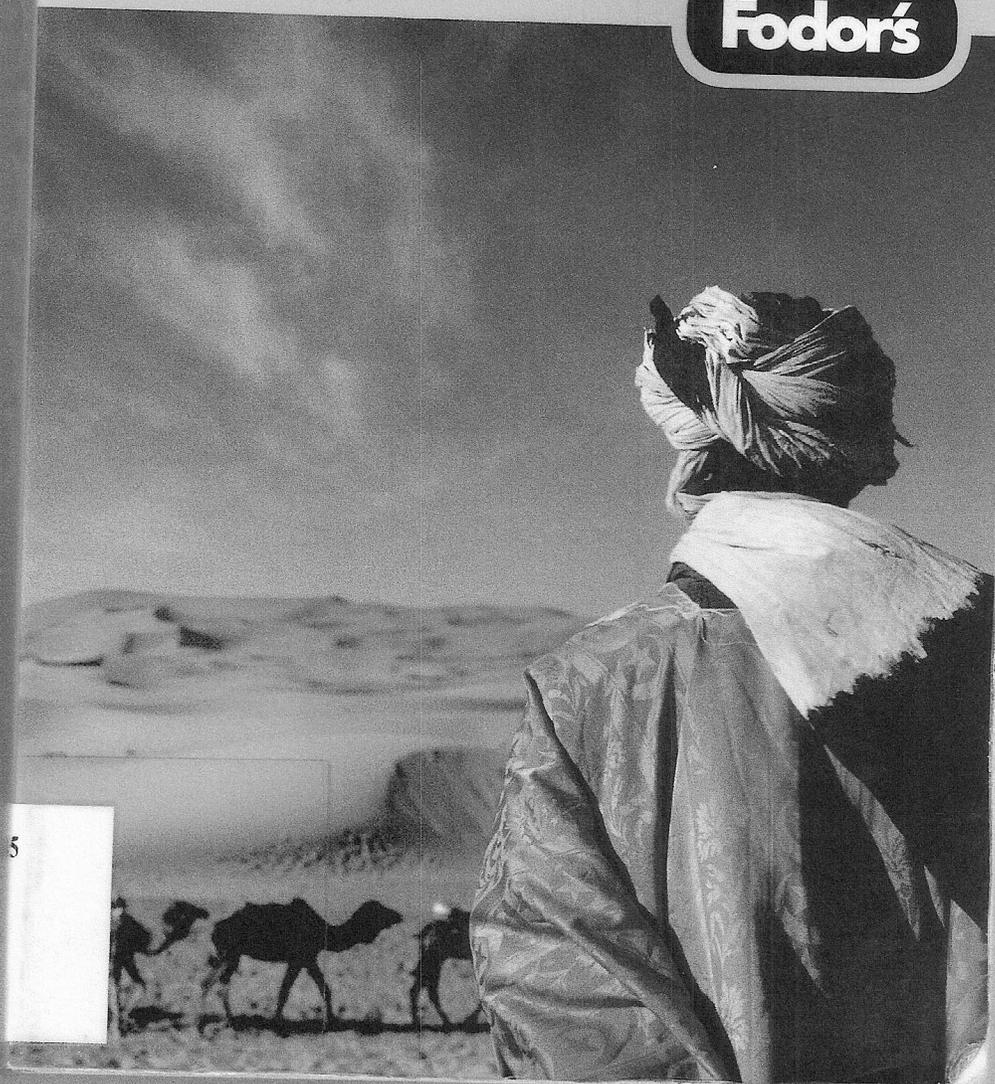
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**Exhibit 16**

# Morocco

**Fodor's**



5

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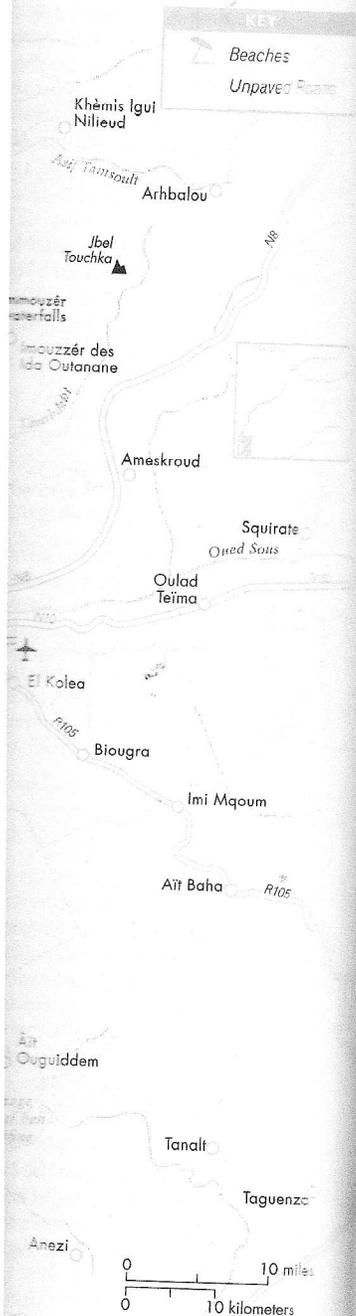
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## CAP RHIR

The rest of the year, a few stray Western surfers seek out waves around the bend from the lighthouse at Cap Rhir, but otherwise the neighboring village of Aghroud is, like Taghazoute, quiet—a pretty detour, with empty sands and calm waters. You may come across a bald ibis, as their preserve is nearby at the Souss Massa National Park & Estuary (⇒ *For the Birds* box in Chapter 9).

## OFF THE BEATEN PATH

**Imouzzér.** From Aourir (12 km [7 mi] north of Agadir), take the paved road 50 km (31 mi) up into the Ida Outanane Mountains to the waterfalls here, near Isk. Check with locals – the waterfalls are often dry when the region is experiencing drought. Dry hills closer to the coast give way to the palm gorge of Paradise Valley, where the rocky riverbank welcomes picnicking Moroccan families and foreigners alike.

## WHERE TO EAT

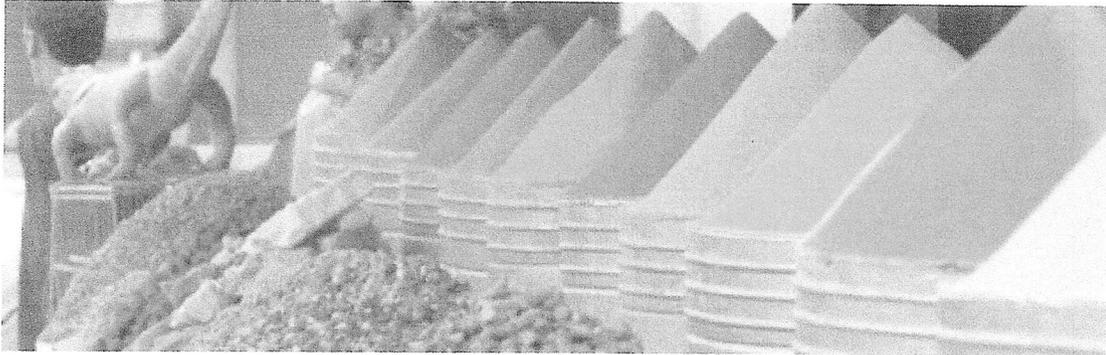
Neon signs throughout Agadir lure you in to sample not so much the delights of Moroccan cuisine as the woes of fast food and international menus. Nevertheless, many of these restaurants have good locations along the beachfront or in the town center. The main joy of eating in Agadir is the chance to dine in fish restaurants, which also tend to be the least brash and pretentious. All major hotels have both Moroccan and continental restaurants, and many now have Mexican, Asian, and Lebanese options. There's also a good selection of Italian food and pizza. **TIP** → For some of the town's best seafood and a refreshing change of scenery, head to the warehouses and wharves of the port.

- ☞ **MOROCCAN** **× Café les Arcades.** The farther north out of the tourist zone you go, the closer you get to what Moroccans really eat. This spit-and-sawdust roadside café is the perfect antidote to the high-rolling resorts by the beach. Locals hang out there all day long, and you can get a set meal of three tasty dishes (salad, soup, or omelet; meat or fish; dessert) for an incredible 35 DH, and watch the real world go by to boot. ☒ *Bd. Allal ben Abdellah, Talborjt* ☎ *No phone* ☒ *No credit cards.*
- \$-\$\$** **× Chez Mimi la Brochette.** Run by Mimi and her husband for over 25 years, this place brings a little style to the chain of cheapos at the northern end of the beach. Everything is grilled over a wood fire, and you can get great fish, including lobster and prawns. Don't miss the fig-based digestif, Mahia, or the chance to have hot prawns or smoked eel salad. The house specialty is, of course, brochettes of any kind; there's plenty of meat on the menu, too. The only downside is that you can't eat here Friday night. ☒ *Promenade du Bord de mer, Complexe Al Moggar* ☎ *028/84-03-87* ☒ *No credit cards* ☺ *No dinner Fri., no lunch Sat.*
- ☞ **ENGLISH** **× English Pub.** Just when you thought you couldn't get Yorkshire pudding in Morocco, you come across this street-side bar and restaurant. It prides itself on comfort food—burgers and fries—and full English breakfasts. There's a special Sunday lunch of roast beef with the works, and all sorts of traditional meat pies. The food is a little on the bland side, but it's familiar and cozy for English-speaking guests, who can

**Exhibit 17**



## Marrakech Travel Guide



iStock International

### Intro.

#### **Introduction**

Marrakech, Morocco's southern capital, lies three hours south of Casablanca by train. At the base of the Atlas mountains, the exotic red walled city, with its compelling blend of old and new, has been everything from an oasis for desert traders and a hippie hangout to a jet-setting holiday destination.

#### **Why Go**

For the bustling markets, beautiful architecture, mosques and palaces, all wrapped in a strong North African atmosphere.

### Neighborhoods

#### **Introduction**

As with all major Moroccan cities, Marrakech is a city divided – both geographically and psychologically. There's the Medina (the old city), where ancient rituals still play out, and the decidedly modern neighborhoods of the Ville Nouvelle (new city), where the pace of life seems more European than Moroccan. Beyond these two sections of the city, there's little to lure visitors.

The spate of new boutique hotels in Marrakech has been widely noted, but one with a top cooking school on the roof might prompt a double take. The 24-room Jnane Tamsna, overseen by a French-Senegalese designer and her ethnobotanist husband, is fringed in 20 acres of vegetable gardens and lush date and lemon groves, providing many of the school's ingredients. See more [Smart Luxury Award winners](#).

Douar Abiad, Marrakech  
011-212-524-32-84-84  
[www.jnanetamsna.com](http://www.jnanetamsna.com)

## Restaurants

### **Introduction**

For cheap dinners with the most atmosphere in Marrakech, sidle up to one of the food stalls at the Djemaa el-Fna, where your couscous or harira soup is presented with plenty of theater from the jovial chefs and the action-packed square. Restaurant dining in Marrakech is equally inspiring, though you'll pay more for the pleasure.

### Le Tobsil Medina

TAGS: international travel, restaurant, expensive, great location, french-moroccan

### **Introduction**

Expect rose petals and an intimate courtyard illuminated by atmospheric lanterns at this roman restaurant. The exquisite French-Moroccan fusion fare is a favorite among foodies.

22 Derb Abdellah ben Hessaien, Marrakech, 40000  
011-212-24-44-40-52

### Dar Marjana Medina

TAGS: family, international travel, smart splurge, restaurant, expensive, moroccan, reservations

### **Shermans Review**

A classic Moroccan dining experience awaits at the end of a sleepy Medina alley in Dar Marjan. Enjoy aperitifs like *mahia* (a fig liqueur) in the lovely open-air, lantern-lit courtyard where local Gnawa musicians pluck two-stringed banjos. The first course includes six or so traditional hot and cold Moroccan salads like carrots sautéed with cumin, spicy tomato puree, and roasted eggplant, served with pan-fried liver, sweet tomato jam, and homemade bread. Next comes the *bastilla*, filled with layers of pigeon, eggs, onions, spices, and crushed almonds, and topped with

cinnamon. After that follows a succulent lamb tagine with prunes and figs; then vegetable couscous; and finally fruit and a sweet, flaky bastilla topped with powdered sugar for dessert.

15 Derb Sidi Tair, Marrakech  
011-212-024-38-51-10  
[www.darmarianamarrakech.com](http://www.darmarianamarrakech.com)

#### Le Tanjia Mellah

TAGS: international travel, moderate, trendy, restaurant

#### **Shermans Review**

Tables on the rooftop terrace are the most coveted seats in the house at this atmospheric café the Mellah. Specialties include dishes like tajine with lamb and prunes.

14 Derb J'did, Marrakech  
011-212-24-38-38-36  
[www.le-tanjia.com](http://www.le-tanjia.com)

#### La Jacaranda Gueliz

TAGS: international travel, moderate, trendy, restaurant

#### **Introduction**

Très français all the way (and one of Marrakech's best restaurants), this buttoned-up bistro in the Ville Nouvelle serves upscale French fare in white tablecloth surrounds. Specialties include foie gras, tripe and seafood dishes.

32 Blvd. Mohammed Zerktouni, Marrakech  
011-212-24-44-72-15

#### Café-Restaurant Argana Medina

TAGS: international travel, budget, restaurant, views, cafe, great location

#### **Introduction**

One of a handful of cafes fronting the Djemaa el-Fna, Argana is great for budget tajine or couscous and happening medina views. Their strong Moroccan coffee and croissants also make for an affordable breakfast.

**Exhibit 18**

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March 11, 2011

[Photo Friday: Bartender Series IX](#)

TGIF! [JG Black Book of Travel](#) is celebrating with *(yet another)* [Bartender Friday](#). Thank Lisa Caruso, VP of JG Group PR for bringing us the "Moroccito" - the signature drink from the Bar at [La Maison Arabe](#) in Marrakech, Morocco.



**Moroccito**

Ingredients (*makes 3 servings*):

Handful of crushed fresh Mint

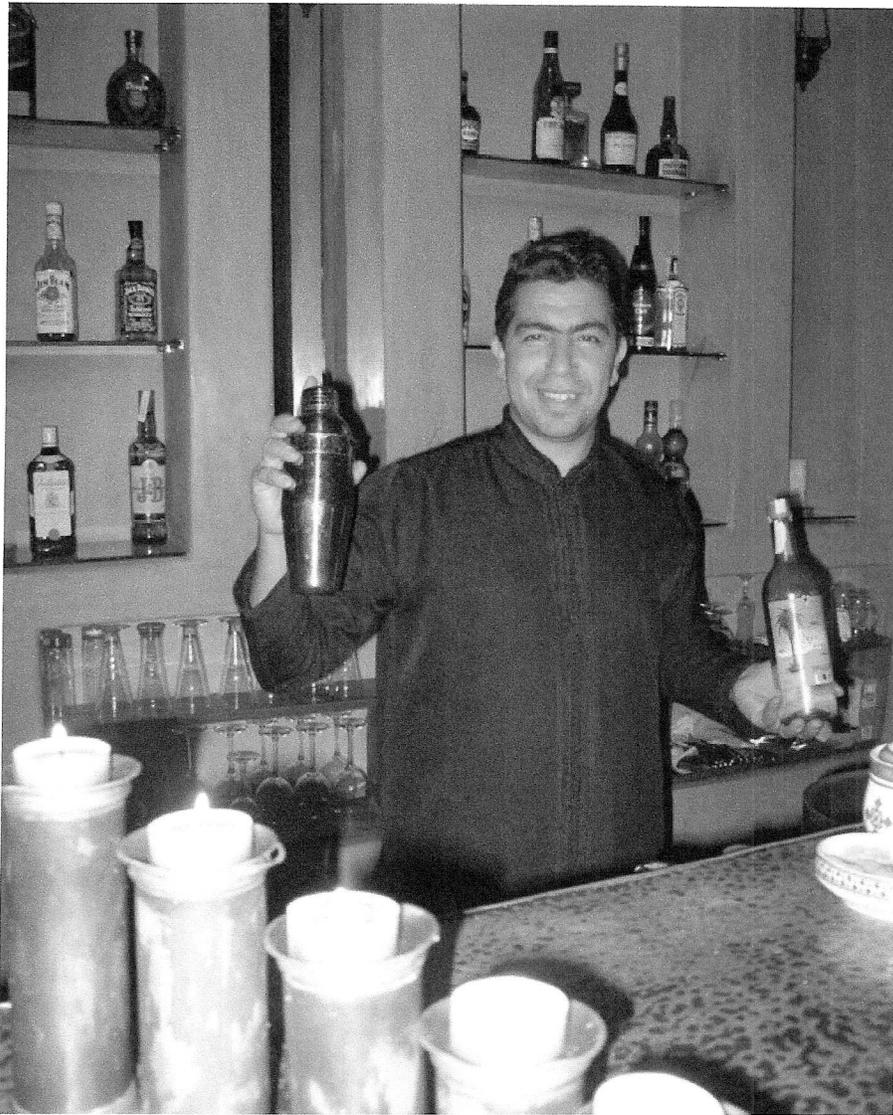
1 whole Lime with rind

½ liter Pineapple Juice

2 oz Mint syrup (*non-alcoholic*)

Ice

Blend the above ingredients. For each serving, add 1 shot of the "water of life" – Mahia Moroccan liquor of fig and licorice. (*Or you can use vodka, gin or rum depending on your taste!*)



*Rashid - creator of the Moroccito.*

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**Exhibit 19**

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### Advanced Search

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USDA Foreign Agricultural Service

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Date: 7/24/2009

GAIN Report Number: MO9012

## Morocco

### Food and Agricultural Import Regulations and Standards - Narrative

### FAIRS Country Report

**Approved By:**

Hassan F. Ahmed, U.S. Embassy, Rabat

**Prepared By:**

Abdessalam Cherkaoui, U.S. Embassy, Rabat

**Report Highlights:**

This Food and Agricultural Import Regulations report updates the sections concerning food laws; copyright and trademark laws; and government regulatory agency contacts in Morocco. A new law regarding the creation of a National Office for Food Safety (ONSSA) was published in March 2009. The regulations governing the functioning of ONSSA and food legislation that would cover all laws related to food safety is now under consideration in the Moroccan parliament. It is expected that these new regulations to be approved and published by the end of 2009.

Bottling of wine is subject to strict requirements. Ordinary wines and common wine can be sold in 1 liter glass bottle or 1.5 liters PVC bottle. Guaranteed vintage wines, old wine, origin labeled wines can be marketed only in glass bottles of specific sizes (75 cc, 37.5 cc, 72 cc and 18 cc) (*Article 19 of the 275-321 law on wine marketing*). Sparkling wine bottles must have a capacity of 80 cc or 40 cc.

A certificate of origin and a certificate of laboratory analysis are required by the Ministry of Agriculture for imported of origin labeled wines.

### **Other Alcoholic Beverages**

The Ministry of Agriculture amended the regulation regarding the marketing of spirits and similar products (*Minister of Agriculture Decision 1628-07 dated August 22, 2007*) modifying the *May 16, 1916 decision, Official Bulletin 558 of September 6, 2007, Page 1028*). Major additions and changes are:

- The denomination “Mahia” that can be used only for brandy issued from fermented figs / dates and aniseed with no ethylic alcohol being added.
- Marketing of alcoholic drinks using designations such as “type”, “style”, “taste”, “brand”, “fantasy” is prohibited.
- Imports, processing, bottling, and trading of alcoholic beverages is subject to a license from the Ministry of Agriculture that will be delivered following authorization of the local authorities (prefecture or province level).
- The Minimum alcohol content by volume must be (in %): Whisky, pastis and Mahia 40; Rum, Wine Brandy, raisin brandy, Fruits Brandy, Gin, Vodka 37.5; Brandy 36 ; anis and spirits from grains 35; spirits drinks from fruit 25; aniseed spirits 15; and spirits called “Mixed Drinks” 5 percent.
- Packaging requirements (see Packaging and Container Regulation Section above).
- The labeling of spirits must include:
  - Commercial Name,
  - Net Volume;
  - Acquired alcoholometry volume;
  - Name and address of the importer for imported products);
  - List of ingredient for the spirits drinks other than natural brandies.
  - Validity date for drinks having less than 10 percent of alcohol in volume.
  - Processing Lot number.
  - Place of origin if omitting it creates confusion in the buyers’ mind as to the origin of the product.

### **Dairy Products**

The current regulation for production and marketing of dairy products was amended on 2001 (*Decree 2-00425, December 7, 2000, Official Bulletin # 4862 of January 4, 2001*). This Decree abrogated and replaced three major requirements:

- a. The basic old regulation undermining milk marketing in Morocco. It included the requirement to add starch to imported milk powder (*Ministerial Decision of August 6,*

When the importer does not appeal within eight days and when the results of the second analysis confirm the results of the first one, the report is filed in the court who decides whether to reject the product or not.

#### Appendix I. Government Regulatory Agency Contacts:

Dr. Hamid BENZAOU, Directeur de la DSSPA  
Ministère de l'Agriculture et de la Pêche Maritime  
Direction de la Sécurité Sanitaire des Produits Alimentaires (DSSPA)  
Avenue Haj Ahmed Cherkaoui- Agdal-Rabat- Morocco  
Phone: (212-5) 37 68 13 51/ (212-6) 75 39 94 51  
Fax : (212-5) 37 68 20 49  
Email: [madedvha@menara.ma](mailto:madedvha@menara.ma)

Direction du Contrôle de la Qualité (DCQ) - Port Casablanca  
Port de Commerce de Casablanca, Morocco  
Phone: (212-2) 231-7047 Fax: (212-2) 231-8648  
Email: [dcqpf@hotmai.com](mailto:dcqpf@hotmai.com)  
*Port Food and Agricultural Products Inspection, Ministry of Agriculture*

M. Ahmed BEN TOUHAMI, Directeur DDFP  
Ministère de l'Agriculture et de la Pêche Maritime  
Direction de Développement des Filières de Production  
Station Dbagh, Av. Hassan II, BP.595; Rabat, Morocco  
Phone: . (212-5) 37 69 99 45 Fax : (212-5) 37 69 00 15  
Email: [ddfp09@gmail.com](mailto:ddfp09@gmail.com)

#### APPENDIX II – OTHER IMPORT SPECIALIST CONTACTS

American Embassy-Rabat  
Agricultural Affairs Office-Rabat  
PSC 74, Box 002. APO AE 09718  
Contact: Hassan F. Ahmed, Agricultural Attaché  
Abdessalam Cherkaoui, Agricultural Specialist  
Phone: (212-5) 3776-2265 Fax : (212-5) 3776-5493  
Email: [AgRabat@usda.gov](mailto:AgRabat@usda.gov)

USDA/FAS, U.S. Agricultural Export Promotion, U.S. Embassy, Rabat

**Exhibit 20**



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HOME BEER WINE DISTILLED SPIRITS OTHER ALCOHOL TOBACCO FIREARMS & AMMUNITION

## Morocco

- [Labeling Requirements](#)
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- [Copyright and/or Trademark Laws](#)
- [Import Procedures](#)
- [Government Regulatory Agency Contacts](#)
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- *The information in this guide was obtained from external sources, including the websites of various governmental agencies and organizations, direct contact with those agencies and organizations, and from [Foreign Agricultural Service \(FAS\) Attaché reports](#). Consequently, the accuracy of this information depends upon the accuracy of the sources.*
- *TTB is not responsible for the content of external websites.*
- *This website was last updated on September 29, 2010.*

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### Labeling Requirements

The basic law dealing with labeling in Morocco was published on June 6, 2002. Several requirements are included in this law among them the use of Arabic language and the printing of the importers names on labels.

In general, the law requires that the imported food, whether sold or distributed freely, be labeled in such a way that it is not confusing to the consumer, especially regarding the nature, identity, species, quality, quantity, composition, useful products contents, durability, conservation, origin, and processing methods.

#### Arabic Labeling Requirement

The implementation of the Arabic requirement has been facing some difficulties, which forced the government to be more flexible during the first few years of the entry into force of the regulation. However, it is obvious that the Arabic labeling has become more common and exporters should try hard to meet this requirement.

#### Stick-on Labels

For most products, stick-on labels are accepted to comply with the Arabic label requirement. Stick-on labels must be approved by the Ministry of Agriculture and are to be put on products upon their arrival to Morocco in the importer's facility.

#### Exceptions for Arabic Labeling

The regulation that exempts some products from the Arabic labeling requirement has not been yet published but this list has already been circulating. Thus Arabic labeling will likely not be required for the following:

- Alcoholic Beverages
- Local and Imported products that are distributed or exhibited as samples and are not for sale and for which the professional must provide evidence.

Explicitly, the food labeling regulation in Morocco requires the following:

- **Net quantity:** The Net Weight or Net volume must be indicated. It is not necessary for food products when the quantity is less than 5 grams or 5 milliliters except for spices and aromatic plants. When a food product is presented in cover liquid the net drained weight must be mentioned.
- **Production and expiry date** (see section below).
- **Indication of any special storage conditions.**
- **Name and address** of the manufacturer, the packager, or the importer depending whether the product is imported, locally manufactured, or locally packaged.

- a. Name of the importer for imported products;
- b. Name of the manufacturer for locally made products;

c. Name of the packager for the locally packaged products.

- **Place of origin**, if omitting it would generate confusion for the buyer as to the origin.
- **Alcohol volume title** for drinks that are over 1.2 % of alcohol in volume.

In addition to the general Decree above that sets the basic rules for labeling, there are rules that are specific to some products.

#### **Alcoholic Beverages**

Although imports of alcoholic beverages can be done theoretically by any importer, their marketing, sale, storage, and handling are subject to strict government control. Marketing of wines at the wholesale and retail levels is subject to a special license from the Ministry of Agriculture and to the local authorities (Ministry of Interior). Alcoholic beverages can be sold only at licensed retail and wholesale points.

Alcoholic beverage bottles of more than 25 cc, except wines, whisky, and beers, whether produced locally or imported cannot be distributed to retailers or end-users unless a "Control Stamp" is stuck on the cap of each bottle. The stamp should be long enough to cover part of the bottleneck and should be stuck so that the stamp number remains readable (*Ministry of Finance Decision, 723-96, April 12, 1996, Official Bulletin 4383*).

#### **Wine**

Morocco's regulations recognize four categories of wine (*Decree 275-321 of 8/12/77*):

"*Old Wine*" that is over 25 months old and "*Selected Wine*" that is over 13 months old.

"*Vintage Wine*": includes the "*Guaranteed Vintage Wine*", the "*Controlled Vintage Wine*" and the "*Local Wine*" which are produced under conditions and areas determined by the Ministry of Agriculture.

"*Sparkling Wines*"

"*Ordinary wines*": Alcoholic content must be at least 12 percent in order to be imported and marketed in Morocco. The law also explicitly prohibits the sale of wines that have alcohol content of less than 12 percent (of volume). The characters specifying the type of wine must be at least 5 millimeters high. The labels "*Red Wine*", "*White Wine*", "*Rosé*", "*Table Wine*", and "*Mixed Wine*" can be used.

The origin labeled wines can be imported into Morocco if they comply with the regulations prevailing at the country of origin. (*Ministry of Agriculture Decision 736-96, of June 27, 1996, published in the official bulletin 4384*).

Recently the Ministry of Agriculture published a regulation that defines the conditions that wine must meet before it can include the *denomination of "Chateau"* on the label (*Ministry of Agriculture decision 815-04, October 14, 2004, Published in the Official Bulletin 5266 of November 18, 2004*).

Labeling and marketing of wine is subject to the basic law issued by the Ministry of Agriculture (*Decree 2-75-321 issued on August 12, 1977*). Alcohol content must be specified in unit or half units and should not differ by more than 0.5 percent of the content determined by analysis. Non-origin labeled sparkling wines cannot be sold unless the label "*Sparkling Wine*" is indicated on the bottle. The size of the characters should be at least half of the size of the largest characters used on the label.

Origin labeled wines must have the following information on their label: 1) geographical denomination, 2) the labels "*Origin label guaranteed*" or "*Guaranteed vintage wine*" 3) brand name printed in readable characters. 4) Alcohol content 5) name and address of the bottler printed in characters not exceeding two-thirds the size of the characters used to print the geographical denomination.

Bottling of wine is subject to strict requirements. Ordinary wines and common wine can be sold in 1 liter glass bottle or 1.5 liters PVC bottle. Guaranteed vintage wines, old wine, origin labeled wines can be marketed only in glass bottles of specific sizes (75 cc, 37.5 cc, 72 cc and 18 cc) (*Article 19 of the 275-321 law on wine marketing*). Sparkling wine bottles must have a capacity of 80 cc or 40 cc.

A certificate of origin and a certificate of laboratory analysis are required by the Ministry of Agriculture for imported of origin labeled wines.

#### **Other Alcoholic Beverages**

The Ministry of Agriculture amended the regulation regarding the marketing of spirits and similar products (*Minister of Agriculture Decision 1628-07 dated August 22, 2007*) modifying the *May 16, 1916 decision, Official Bulletin 558 of September 6, 2007, Page 1028*). Major additions and changes are:

- The denomination "Mahia" that can be used only for brandy issued from fermented figs / dates and aniseed with no ethylic alcohol being added.
- Marketing of alcoholic drinks using designations such as "type", "style", "taste", "brand", "fantasy" is prohibited.
- Imports, processing, bottling, and trading of alcoholic beverages is subject to a license from the Ministry of Agriculture that will be delivered following authorization of the local authorities (prefecture or province level).
- The Minimum alcohol content by volume must be (in %): Whisky, pastis and Mahia 40; Rum, Wine Brandy, raisin brandy, Fruits Brandy, Gin, Vodka 37.5; Brandy 36 ; anis and spirits from grains 35; spirits drinks from fruit 25; aniseed spirits 15; and spirits called "Mixed Drinks" 5 percent.
- The labeling of spirits must include:
  - Commercial Name,
  - Net Volume;
  - Acquired alcoholometry volume;
  - Name and address of the importer for imported products);
  - List of ingredient for the spirits drinks other than natural brandies.
  - Validity date for drinks having less than 10 percent of alcohol in volume.
  - Processing Lot number.
  - Place of origin if omitting it creates confusion in the buyers' mind as to the origin of the product.

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#### **Packaging requirements.**

### **Wine and Alcoholic Beverages**

Bottling of wine is subject to strict requirements. Ordinary wines and common wine can be sold in 1 liter glass bottle or 1.5 liters PVC bottle. Guaranteed vintage wines, old wine, origin labeled wines can be marketed only in glass bottles of specific sizes (75 cc, 37.5 cc, 72 cc and 18 cc). *Article 19 of the 275-321 law on wine marketing*. Sparkling wine bottles must have a capacity of 80 cc or 40 cc.

The Ministry of Agriculture revised the regulation regarding the marketing of spirits and similar products (*Minister of Agriculture Decision 1628-07 dated August 22, 2007*) modifying the May 16, 1916 decision, *Official Bulletin 558 of September 6, 2007, Page 1028*. Spirits drinks can be sold only in glass and polyethylene bottles of the following sizes (centiliters): 5, 20, 25, 35, 37.5, 50, 70, 75, 100, 150, and 200 or any bigger size provided that the size increases by tranches of 50 centiliters.

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### **Copyright and/or Trademark Laws**

Morocco is a member of the World Intellectual Property Organization (WIPO) and signed several international agreements for intellectual property rights protection.

The law 31/05 amending and supplementing the law 17/97 relating to the protection of industrial property adopted by the Parliament on December the 14th, 2005 is published in the official bulletin n° 5397 of February 20th, 2006. This law comprises provisions, which reinforce the system of the industrial property in Morocco, in particular those relating to the opposition system of trademarks, measurements at the borders and the national register of the geographical indications and appellations of origin.

Under the law #25-06 mentioned above, all food and agricultural products with a distinctive signs of origin and quality are protected. The Moroccan Office of the Industrial and Commercial Property (OMPIC) is a key member of the distinctive signs National Commission (article 17 of the law).

Foreign companies enjoy trademarks and brand protection in Morocco as stipulated by the Madrid April 14, 1891, Protocol. Exporters from countries not signatory of the Madrid Arrangement must apply through a resident in Morocco to have their trademarks and brand names registered. Detailed guides for registration can be obtained through FAS- Rabat Office or directly from:

#### **Office Marocain de la Propriété Industrielle et Commerciale (OMPIC)**

Route Secondaire 114, Km 9.5, route de Nouaceur, Sidi Maarouf, Casablanca

Tél: (212-52) 233-5486 Fax: (212-52) 233-5480

Web site: <http://www.ompic.org.ma>

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### **Import Procedures:**

#### **General**

The basic regulation for inspection of food and agricultural products imported into Morocco is the joint Ministry of Finance and Ministry of Agriculture Circular # 1. This circular gives Ministry of Agriculture inspectors and Customs Officials authority to inspect imported food and agricultural products.

Depending on their nature (animal, plant, raw, or processed) imported products are inspected by different divisions. In major ports (Casablanca, Agadir, and Tangier), the importer deals with one Ministry of Agriculture office, the DCQ (Direction de Contrôle de la Qualité) and the dispatch of the file is done internally depending of the type of product.

Typically, the clearing process through DCQ inspectors consists of up to three major steps based on the familiarity with commodity, importer's experience, and sometimes the origin.

- a) Checking the import documents;
- b) Physical control of the commodity, and
- c) Drawing of sample for more detailed laboratory analysis.

DCQ inspectors issue a certificate that authorizes the importer to clear customs. Customs Officers will not authorize the goods into the country without a certificate issued at the point of entry by the DCQ inspectors.

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### **Government Regulatory Agency Contacts**

#### **Dr. Hamid BENAZZOU, Directeur de la DSSPA**

Ministère de l'Agriculture et de la Pêche Maritime

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#### **Direction du Contrôle de la Qualité (DCQ) - Port Casablanca**

Port de Commerce de Casablanca, Morocco

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*Port Food and Agricultural Products Inspection. Ministry of Agriculture*

**M. Ahmed BEN TOUHAMI, Directeur DDFP**

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---

**Back to Top****OTHER IMPORT SPECIALIST CONTACTS**

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**Agricultural Affairs Office-Rabat**

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Email: [AgRabat@usda.gov](mailto:AgRabat@usda.gov)

**USDA/FAS, U.S. Agricultural Export Promotion, U.S. Embassy, Rabat**

---

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*This list is supplied by the USDA-FAS and is for your information only. TTb is not responsible for its use and is not liable for any not not liable for any consequences that might result from its use. TTb does not claim the list is exhaustive and does not endorse or guarantee any contact on this list. Information for contacts may have changed.*

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E-mail: --- none

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**Exhibit 21**

BLADY

JEWISH COMMUNITIES IN EXOTIC PLACES

\*PXL

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Aronson

Jewish Communities  
in Exotic Places

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**KEN BLADY**

foreword by  
Michael Pollak

introduction by  
Steven Kaplan



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*Northvale, New Jersey*  
*Jerusalem*

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ture of the Jews that is quite different. He observed that in certain areas of the Atlas Mountains there were warrior tribes of Jews who were splendid swordsmen and horsemen, and hard drinkers:

The Jews form an important part of the population of the Atlas. In certain villages, they form a third and in others even a majority of the population. They are very courageous, traveling fearlessly through the most dangerous regions and maintaining relations with all the surrounding tribes. No one knows the country or its people better than they. . . . Some of them travel about as healers, a cross between sorcerers and tellers of tales, working on the imagination of the natives, who are all illiterate. . . . The Jews of the Atlas are, on the whole, a healthy and vigorous lot. . . . But they are treated with contempt by their neighbors. The meanest and most insignificant negro treats a Jew as though he were an outcast.<sup>27</sup>

Atlas Mountain Jews served their own and other Berber mountain communities as artisans and minor traders. As craftsmen, they had a virtual monopoly in embroideries, making jewelry, tanning, shoemaking, and carpentry. Jewish women assisted their husbands by performing those tasks that could be carried out at home. Peddlers usually traveled on donkeys in twos and threes and set up makeshift camps in the local bazaar. Some went door to door hawking a wide assortment of domestic items, such as clothing, jewelry, crockery, hides, foodstuffs, and herbal cures. The Jewish peddlers would stay in one place for about a month and then move on to the next village. They would buy or barter a variety of items in one town and sell them in the next. Some Jews engaged in commerce and moneylending, while others were pawnbrokers. In some localities the Jews worked as farm laborers, and although Jews in the Atlas Mountains were forbidden to own land, exceptions did occur. A Jewish specialty was distilling *mahia* for illegal sale to the Muslims. *Mahia* is an aniseed or fennel-flavored brandy made from grapes, pomegranates, figs, or dates. It was also made from water in which honeycombs had been boiled.

Many craftsmen traveled from *suq* to *suq* practicing their profession. Itinerant peddlers would leave their families behind for months at a time, returning home only for the major holidays or to replenish their supplies. Lawrence Rosen has pointed out that the Berbers preferred to do business with the Jews rather than with the Arabs, so as not to jeopardize their independence.<sup>28</sup>

Because the local rabbis were often not very erudite themselves, major halakhic *responso* and spiritual guidance was drawn from the rabbinate of the

**Exhibit 22**

GEORGETOWN CLASSICS IN ARABIC LANGUAGE AND LINGUISTICS

A DICTIONARY *of*  
MOROCCAN  
ARABIC

MOROCCAN-ENGLISH ENGLISH-MOROCCAN

RICHARD S. HARTEL AND HARVEY S. BEBLER, Editors

# **REFERENCE** *A Dictionary of Moroccan Arabic*

**Moroccan–English**

**Richard S. Harrell, Editor**

*Compiled by  
Thomas Fox and Mohammed Abu-Talib*

*With the Assistance of*

*Ahmed Ben Thami, Allal Chreibi, Habiba Kanouni,  
Ernest Ligon, and Mohammed Mekaoui*

**English–Moroccan**

**Harvey Sobelman and**

**Richard S. Harrell, Editors**

*Compiled by  
Thomas Fox, Alan McAninch, Allal Chreibi,  
Majid Soussane, and Mohamed Neheiri*

**Georgetown University Press  
Washington, D.C.**

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*Arabic Rese*

*Foreword to  
by Elizabeth*

*A DICTION  
MOROCCA  
The Arabi  
and Lin  
Introducti  
Pronuncia  
Abbreviati  
Moroccan-*

*A DICTIONA  
ENGLISH-M  
The Arabic  
and Ling  
Preface  
Technical I  
English-M*

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(Richard Slade), 1928–1964. II. Sobelman, Harvey. III. Series.

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2004040883

of the mouth, and the English speaker must be careful to keep *k* more to the front part and *q* more to the back part of the rear of the mouth in order not to confuse them and pronounce *q* when he means *k* or vice versa.

The *x* and *ǧ* are fricatives pronounced in approximately the same position as the *q*, with the rear of the tongue raised toward the roof of the mouth in the neighborhood of the uvula. The *ǧ* is similar to the French 'r' and the *x* is the same sound as the 'ch' of German *Bach* or Scotch *loch*. If these sounds seem difficult to the English speaker he can approximate them by gargling gently. The *ǧ* is similar to a light gargle accompanied by a musical buzz from the adam's apple ('voice' is the technical term for this musical buzz) whereas the *x* is the same sound without the musical buzz.

The vowels in the neighborhood of the consonants *q*, *x*, and *ǧ* are pronounced approximately the same as the vowels in the neighborhood of the emphatic consonants. This equivalence is only approximate, and the student's prime concern should be with exact imitation of native speakers of Moroccan Arabic.

8. *The consonants ɛ and ʕ:* The *ɛ* and *ʕ* are different from anything in English. Careful practice with a native speaker or with recordings is necessary for the English speaker to acquire a proper pronunciation of these consonants. These sounds are articulated by a simultaneous raising of the larynx and a movement of the root of the tongue toward the back wall of the throat. The compression of the throat in this way gives rise to the particular sound quality of these two consonants.

The *ɛ* is somewhat similar to an English 'h' pronounced in a loud stage whisper, as opposed to Moroccan *h*, which is more like an English 'h' in ordinary conversation. The English speaker must exercise extreme care in learning to distinguish *h* and *ɛ* from each other, both in hearing and in pronunciation.

The *ʕ* is unlike any English sound, and a proper pronunciation of it can be acquired only by careful imitation. A useful articulatory description of the way to pronounce *ʕ* is difficult to give briefly in simple terms. The student may approximate it by practicing a loud, prolonged stage whisper English 'h', as for *ɛ*. He should note the tension in his throat and the exact position of the adam's apple during the stage whisper 'h'. Then, with his adam's apple and throat in the exact position as for the stage whisper 'h', the student should try pronouncing the 'a' of 'father'. The result should be an acceptable approximation of *ʕ*. The student may contrast it with the normal pronunciation of the 'a' in 'father'.

9. *The Vowels with ɛ and ʕ:* In the neighborhood of *ɛ* and *ʕ*, the vowels *a*, *i*, *u*, and *o* are approximately the same as in the neighborhood of the emphatic consonants. The vowel *ǎ* is almost never found anywhere except next to *ɛ* or *ʕ*.

giw iloēbu be-l-qewš u-n-nbel.  
qda pl. -t, Eqad. She had a  
y bow in her hair. kanet  
a Eqada zwina fe-šerha.  
žebbanija pl. -t, žbaben.  
ed - režliħ meqewšin. We're  
owlegged. ħna kollna režlina  
sin.

endug pl. šnađeq.  
- lakem, (sport).

mlakem.

- mulakama.

ice - řaqa pl. -t, řyeg.

eld pl. wlad.

žbira pl. -t. He's still

ng a brace on his left leg.

la režlu l-iřra fe-ž-žbira.

brace oneself - ttekkka. They

braced themselves against the

ħuma b-žuž ttekkaw Eel l-bab.

t - demliž pl. dmalež. debliž

balež.

- fřer, faħ ifuħ.

teđfira.

braid - deffer.

moxx pl. mxax, mxuxa; dmağ

at. This brain tastes good.

-moxx fih mađaq meşyan.

He hasn't a brain in his head.

mfelles.

ins - Eqel. She hasn't got

brains. ma-Endha Eqel bezzaf.

rack one's brains - herres

Don't rack your brains over

ma-therres-ř řařek Ela had

brain someone - herres ř-řas

If you do that again I'll brain

ila Eawed Emeltiha řani

res-lek řařek.

řeşar pl. řşaşer, fran pl.

The brake doesn't work. l-

ř ma-xeddām-ř.

put on the brakes - brek Eel

řar.

- l. Eerř pl. Eruř. The wind

off several branches. r-riħ

s Eadad d-le-Eruř. 2. ferē

řuruē. Our firm has a branch

asblanca. ř-řarika dyalna

ma-ferē fe-d-đar l-bida.

branch off - ttefřeq. The

branches off here. ř-triq

tefřeq ħna.

- nuē pl. nwaē, mařka pl. -t.

brand do you smoke? ař-men

ka-tekmi?

brand - řřem. He was branded

traitor. ħuwa reřmuh xa'in.

Are the new horses been branded?

reřmu l-xil ž-ždad?

new - yałlah ždid pl. yałlah

ždad.

brandy - ma-ħya.

brass - řħas řřer.

brawl - mdabza, mđarba, mřabka.

brave - řřie pl. řřaē.

bread - xobz.

\*\*How does he earn his bread? kif

ka-iřuwwer meřřufu?

loaf of bread - xobza pl. -t,

kesra de-l-xobz pl. kesrat de-l-xobz.

breadth - Eorğ.

break - inqitaē. A break between the  
two countries can no longer be  
avoided. la-bodda yewqeē inqitaē bin  
l-beldan b-žuž.

\*\*Let's give him a break! nřexfu

Eliħ!

bad, tough break - meħna pl.

mħayen. He's had a lot of tough

breaks. ħuwa dazu Eliħ le-mħayen.

\*\*That's a tough break! ya řařif!

to break - l. herres. I broke

his leg. herrest-lu režlu. --Who

broke the dish? řkun lli herres

ř-řebřil? 2. řžeē Ela. He won't

break his word. ma-gad-iřžeē-ř Ela

klamu. 3. qteē. She broke her en-

gagement with him. qeřet le-mlak

māħ. 4. qeřteē. He broke the

string. qeřteē l-qennba.

5. tteqteē. The string broke. l-

qennba ttqteē. 6. tēdda. He

has broken the law. tēdda l-qanun.

7. belleğ. We'll have to break the

news to him gently. xeřřna nbellğ-

lu le-xbar b-siyasa.

to break down - l. txeřřer. The

machine broke down this morning. l-

makina txeřřret l-yum fe-s-řbah.

2. rzem. He broke down when he

heard the news. rzem melli smeē

le-xbar.

to break in - l. derreb. I'll

have to break in a new man. xeřřni

nderreb řažel ždid. 2. dxel.

Thieves broke into our neighbor's

house yesterday. l-bareħ l-xuwwana

dexlu le-d-đar dyal řarņa.

to break off - l. qteē. They

have broken off relations. qeřeu

l-muēalaqat. 2. therres. Then the

branch broke off. u-men beēd l-

Eerř therres.

to break out - l. ħreb. He broke

out of prison. ħreb men l-ħebs.

2. řēel. The fire broke out toward

midnight. l-Eafya řēēlet fe-žwayeh

neřř l-lil.

to break up - l. ferřeq. The

meeting was broken up by the police.

ř-řorřa ferřret l-mežmeē. 2. therres.

The ice will break up soon. ġadi

t-telž itherres men beēd ři-řwiya.

3. tferřeq. Break it up! tferřqu!

or siru f-ħalkom!

f-ħalkom!

to break someone of something -

qteē Ela. I'll break him of that.

ġad-neqteēħa Eliħ.

breakfast - řtur pl. -at.

to breakfast, have breakfast -

fřer.

breast - bezzula pl. baazel.

breath - neřs.

out of breath - sexfan.

to catch one's breath - tneffes.

I have to catch my breath first.

xeřřni ntneffes beēda.

\*\*Don't breathe a word of this to

anyone. xelli hada bini n-binek.

breeze - riħ řřif, řerbi.

bribe - reřwa pl. -t.

to bribe - řřa irři.

brick - yažura pl. -t coll. yažur.

bricklayer - bennay pl. -a.

bride - Eruřa pl. -t, Eřayes, Eřaysat.

bridge - qenřra pl. -t, qnater.

bridle - lřam pl. -at.

brief - qřir. That was a very brief

report. had t-teqrir kan qřir

bezzaf.

in brief - bla-ma ituwwel. In

brief, this is our plan. bla-ma

ntuwwelu, hada ħuwa l-beřnamež dyalna.

to be brief - qeřřer. Please be

brief. Eafak qeřřer.

bright - l. naseħ. I like a bright

fire. ana ka-nebgi l-Eafya nařħa.

--She likes to wear bright colors.

hiya ka-tebgi telbes l-lwan nařħin.

2. daki. He's a bright boy. ħuwa

weld daki. 3. Eažib. That's a

bright idea! fikřa Eažiba hadik!

\*\*She's always bright and cheer-

ful. hiya dima řřifa u-ferřana.

--We have to start out bright and

early. lazemna nebđaw fe-ř-řbah

bekri.

brilliant - l. lameē. You can tell

his paintings by the brilliant

colors. imken-lek teēref řawru

be-lwanhom l-lamēin. 2. mumtaž.

He's a brilliant speaker. ħuwa

xarřib mumtaž.

\*\*He's the most brilliant man I

know. ħuwa řadka řazel ka-neēref.

brim - fomm pl. fwam, fmam. The glass

is filled to the brim. l-kaş Eamer

ħetta l-l-fomm.

to bring - řab ižib. Bring the children

along. řib d-drari mēak.

to bring back - režžeē.

to bring down - hebbet, nezzel.

Did you bring down the big box? wař

left him with nothing but his shirt on  
 k.  
*wek l-lām l-* to give goose flesh to  
*al-an* tune, (piece of) music (ex-  
 any attendant lyrics)  
 (v.n. *l-iq*) 1. to obtain, to get  
*l-iq* *si-xedma* *sen men hadi*,  
 sn't able to get a better job. 2. to  
*ka-ihez* *yeddu ka-il-eq s-sqef*,  
 ches the ceiling just by lifting his  
 to catch *wek lebter baš ile-q*  
 y. You have to hurry so you can  
 im at home. 4. to catch up with or to  
*hom sabqinna, be-l-āq qad-ndiru*  
*baš nle-q* *hom*. They're ahead of  
 , but we'll try our best to catch up  
 em.

*q be-d-dbi-a* to slaughter (a dying  
 ) in order to make its flesh accepta-  
 food according to Muslim law  
 (v.n. *l-is*) to lick *l-kelb*  
*s-lha yeddha*. The dog is licking her

*da* pl. of *l-e*

*fa* pl. of *l-af*

*umat* pl. of intensity of *l-ām*

*-t, l-i* (dim. *l-iwa*) 1. chin

v.t. to wrap (s.o.) in a *ayek*

put on a *ayek*

t. to take, to carry *škun*

*eq had le-ktub l-l-xizana?* Who's

to take these books to the library?

*eq b-* to make reach, to help at-

help find *ma-le-qeqni* *ādd b-had*

*a, žebtha b-mubaṛa*. Nobody helped

in this scholarship; I won it in a

*-ya* player *xah l-aybi de-l-kura*

His brother is a good ball player.

or v.i. (v.n. *l-āb*) 1. to play

*ter de-s-sentṛež qbel ma-t-āššina*.

played a game of chess before we had

*—ka-yā-erref il-āb l-ud*. He

now to play the lute. 2. to trifle, to

play around, to waste time

*et-š f-le-mti-an li-enna kanet gir*

*āb*. She didn't pass her exam be-

cause was just fooling around.

*b b-* (or *la*) to dupe, to mislead,

advantage of *mnin sabuh*

*ā-erref-š l-luḡa l-ābu bih*. When

found out he didn't know the language,

took advantage of him.

*b f-* 1. to play (around) with, to

(around) with *ma-txelli-š d-drari*

*fe-t-tumubil*. Don't let the kids fool

with the car. 2. to misuse, to mis-

appropriate *d-aw amin s-senḡuq la lli*

*kan ka-il-āb f-le-flus de-l-mu<sup>o</sup>essasa*.

The treasurer was sued for misappropriat-  
 ing the society's funds.

¶ *l-āb le-qmeṛ* to gamble, to play for  
 money

*l-āb* v.n. of *l-āb*

¶ *l-āb l-xil* horse race

¶ *l-āb l-kura* ball game

*l-āba* n.i. of *l-āb*

*l-in* v.n. of *l-ān*

*l-iq* v.n. of *l-āq*

*l-ān* v.t. (v.n. *l-in*) to curse, to swear at

*l-āna* n.i. of *l-ān*

*l-āq* v.t. (v.n. *l-iq*) to lick *l-āqet x-zlafa*

*ad gesletha*. She licked the bowl and then  
 washed it.

¶ p.p. *mel-ūq* pl. *mle-ēq* ill-fated per-  
 son, one always having bad luck

*l-āq* pl. of *l-āqa* 2

*l-āqa* 1. n.i. of *l-āq* 2. pl. *-t, l-āq* leech,  
 bloodsucker

*l-ā-āb* pl. *-a* player *š-al de-l-l-ā-āba*

*fe-l-feṛqa dyalkom?* How many players are

there in your team?

*l-ā-āb* v.t. to make play *l-ā-ēbuni l-karṭa*

*bezz menni*. They made me play cards in

spite of myself.

## M

*ma* (m.) pl. *myah* 1. water 2. juice (of fruit,  
 vegetables, etc.) 3. sap (plant)

¶ *ma de-x-zher* or *ma zher* orange  
 blossom perfume

¶ *ma wred* or *ma de-l-werd* rose water

¶ *ma aya* a relatively weak alcoholic  
 beverage resembling aquavit or brandy

*ma* I. usage as a type of relative pron.

*ma-āndi ma nqul*. I have nothing to say.

(\*\* What can I do? I'm caught.)

*—ma-xellit ma qellebt*. I looked everywhere  
 (i.e., I didn't leave out inspecting any-  
 thing). *—ma-bqa-li ma nemši*. There's no

longer any reason for me to go. *—ma-ḡiya*

*ma nemši*. I don't feel like going. 2. used

with various other words to form a type of

compound conj. (often in the form of

*-emma*): *bā-Ed-ma t-āššina xrežna*

*nsaraw*. After we ate supper we went to

take a walk. *—ma-āndi suq, aš-emma*

*kanet gir werriha-li*! I don't care; what-

ever it is, show it to me! *—ḡayn-ma ikun*

*āndek l-weqt, aži šufna*. Whenever you

have time, come and see us. *—weqt-emma*

*weždu-lek le-flus Etini lli ka-nsalek*. Pay

me what you owe me whenever you get the

money. (see *aš, baš, b-al, bin, bla, bā-Ed,*

*f-, ḡayn, fuq, ḡa-ē, gir, il, sen, etta,*

*kif, layn, men, mnayn, qedd, sa-ē-a, š-al,*

*škun, wa, wayn, weqt, la, laš, ānd*)

*ma* used in certain interrogative terms with

the preposition *l-*: *ma-lek l-āttelti?* Why

were you late? *—ma l-had š-šelya*

*mherrsa?* Why is this chair broken?

*—ma-lek?* What's the matter with you?

*—aš žabek ḡiya ma-li?* What do you care

what's the matter with me?

*ma* particle of negation (usually used with

*-š* or *-ši*) *l-bare ma-kont-š fe-d-dar*. I

wasn't home yesterday. *—ma-āndi etta*

*čaža*. I don't have a thing.

¶ *ma-ši* term of negation (in equational  
 sentences) *hiya ma-ši mezyana!* She's not  
 pretty!

*ma* used to express amazement or admiration:

*ma laha!* How nice she is! *—ma bennu!*

How good this tastes! *—llaḡ la had l-bent*

*ma zinha!* God, she's a beautiful girl!

*mabadi<sup>o</sup>* pl. of *mebde<sup>o</sup>*

*ma da bih<sup>o</sup>* see *da*

*madad* used in the expr. *madad, ya rasul*

*llaḡ!* prayerful invocation for assistance

upon undertaking s.th. that one feels he

cannot do without help

*madahib* pl. of *medheb*

*madani* pl. *-yen* civil, civilian (in contrast to

military)

*madaniya* civilization

*madaq* taste *had l-ēineb fh wa-ēd l-madaq*

*mo-ētabar*. These grapes have an excellent

taste.

*madaṛ* pl. *-at* orbit (of planet, etc.)

*madda* 1. pl. *ma-wadd* element (chemical)

2. pl. *ma-wadd* field, area (profession, of

study) 3. (no pl.) finances, funds 4. pl. *-t*

distance (from one point to another)

*madina* (with art.) Medina (near Mecca)

*madīz* (no pl.) 1. eulogy (especially to a

saint or the Prophet) 2. eulogist, panegyrist

*madella* humiliation, degradation

*madriya* pl. *-t* beam, timber

*m<sup>o</sup>adya* v.n. of *ada*

*madi* a.p. of *mā*

*maderṛa* harm, detriment (v.n. of *derṛ*)

*l-garṛu lli ka-tekmi ḡah fh gir l-maderṛa*.

Those cigarettes you smoke are nothing but

harmful.

*magana* pl. *-t, m-wagen* 1. watch (time-piece)

2. clock

¶ *magana de-d-duw* electric or light

meter

¶ *magana de-l-ma* water meter

**Exhibit 23**

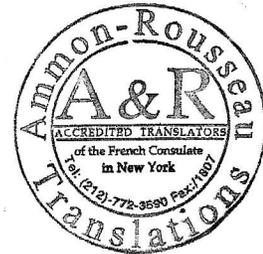
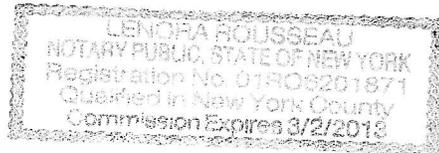
**TRANSLATOR'S CERTIFICATION**

I the undersigned Didier Rousseau, accredited translator of the French Consulate in New York, certify that I have full command of the French and English languages and that I have translated the attached extracts from the *Bulletin Officiel* (Official Bulletin) of Morocco, Official Translation Edition from French to English. The translation is on 5 pages. It is a complete and accurate translation of the extracts requested from the original document.

Sworn before me this 20 day of June 2011

Lenora Rousseau  
Notary Public

Didier Rousseau  
Translator



KINGDOM OF MOROCCO

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**Order of the Minister of Agriculture, rural development and sea fishery no. 1628-07 of 8 chaabane 1428 (August 22, 2007) modifying and completing the order of 13 rejeb 1334 (May 16, 1916) concerning the trade and commerce of spirits and similar products.**

THE MINISTER OF AGRICULTURE, RURAL DEVELOPMENT  
AND SEA FISHERY,

In view of law no. 13-83 relating to the prevention of fraud enacted by *dahir* (decree of a Moroccan king) no. 1-83-108 of 9 moharren 1405 (October 5, 1984), in particular its article 16;

In view of the order of 13 rejeb 1334 (May 16, 1916) concerning the trade if spirits and similar products as it was modified and completed;

In view of decree no. 2-89-308 of 27 chaoual 1409 (June 2, 1989) regarding the delegation of power to the minter of agriculture and of agrarian reform, as it was completed by decree no. 2-06-190 of 16 Jourmade II 1427 (July 12, 2006),

**ORDER:**

FIRST ARTICLE. – The provisions of articles 3 (lines 19, 20, and 21) 6 and 11 of eh abovementioned order of 13 rejeb 1334 (May 16, 1916) are repealed and replaced as follows:

Article 3 (line 19) – The name “Mahia” is exclusively reserved for natural spirits produced by the distillation of fermented must from figs and/or dates along with anise seeds, without consecutive rectification (or refining).

When ethyl alcohol (or grain alcohol) is added, this liquor cannot display the term “Mahia” anywhere in its presentation under any form whatsoever.

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“Article 3 ter. – The alcoholic beverages listed hereinafter can only be produced for human consumption if they contain the following minimal alcohol strength by volume:

- 40% Whisky
- 40% Pastis
- 40% Mahia
- 37.5% Rum
- 37.5% Brandy
- 37.5% Grappa
- 37.5% Fruit brandy
- 37.5% Apple or pear brandy
- 37.5% Gentian Brandy
- 37.5 Gin
- 37.5 Vodka
- 36% Brandy
- 35% Anis
- 35% Cereal spirits (or alcoholic beverage)
- 25% Fruit spirits (or alcoholic beverage)
- 15% Anisated spirits
- 5% “Mixed Drink” alcoholic beverages

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*Rabat, 8 chaabane 1428 (August 22, 2007).*

MOHAND LAENSER

*Rabat, 8 chaabane 1428 (August 22, 2007).*

*The Minister of Agriculture,  
Rural Development,  
and Sea Fishery,*

MOHAND LAENSER

ROYAUME DU MAROC

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ART. 4. – Sans préjudice des pouvoirs dévolues à Bank Al-Maghrib en matière de contrôle des établissements de crédit et des organismes assimilés par la loi n° 34-03 susvisée, les intermédiaires en transfert de fonds sont tenus de veiller au respect, par leurs mandataires, des termes des conventions qui les lient auxdits mandataires.

ART. 5. – Les intermédiaires en transfert de fonds sont tenus de désigner, après approbation de Bank Al-Maghrib et selon les modalités fixées par elle, un commissaire aux comptes à l'effet d'exercer la mission prévue par les dispositions de l'article 72 de la loi n° 34-03 précitée.

ART. 6. – Bank Al-Maghrib est chargée de l'application du présent arrêté qui sera publié au *Bulletin officiel*

Rabat, le 10 regeb 1428 (26 juillet 2007).

FATHALLAH OUALALOU.

Le texte en langue arabe a été publié dans l'édition générale du « Bulletin officiel » n° 5557 du 20 chaabane 1428 (3 septembre 2007).

**Arrêté du ministre des finances et de la privatisation n° 1600-07 du 22 regeb 1428 (7 août 2007) portant homologation de la circulaire du gouverneur de Bank Al-Maghrib n° 37/G/2007 relative au capital minimum des intermédiaires en matière de transfert de fonds.**

LE MINISTRE DES FINANCES ET DE LA PRIVATISATION,

Vu la loi n° 34-03 relative aux établissements de crédit et organismes assimilés, promulguée par le dahir n° 1-05-178 du 15 moharrem 1427 (14 février 2006), notamment son article 17,

ARRÊTE :

ARTICLE PREMIER. – Est homologuée la circulaire du gouverneur de Bank Al-Maghrib n° 37/G/2007 du 9 juillet 2007 relative au capital minimum des intermédiaires en matière de transfert de fonds, telle qu'annexée au présent arrêté.

ART. 2. – Le présent arrêté et la circulaire qui lui est annexée seront publiés au *Bulletin officiel*.

Rabat, le 22 regeb 1428 (7 août 2007).

FATHALLAH OUALALOU.

\*

\* \*

**Circulaire n° 37/G/2007 du 9 juillet 2007 relative au capital minimum des intermédiaires en matière de transfert de fonds**

LE GOUVERNEUR DE BANK AL-MAGHRIB,

Vu la loi n° 34-03 relative aux établissements de crédit et organismes assimilés promulguée par le dahir n° 1-05-178 du 15 moharrem 1427 (14 février 2006), notamment son article 29 ;

Après avis du comité des établissements de crédit émis en date du 6 juillet 2007 ;

Fixe par la présente circulaire le capital minimum exigible des entreprises qui effectuent, à titre de profession habituelle, les opérations d'intermédiation en matière de transfert de fonds.

Article premier

Toute personne morale agréée pour exercer l'activité d'intermédiation en matière de transfert de fonds est tenue de justifier à son bilan d'un capital intégralement libéré, dont le montant doit être égal au moins à DH 3.000.000,00 (trois millions de dirhams).

Article 2

Les intermédiaires en matière de transfert de fonds exerçant leurs activités à la date d'entrée en vigueur de la présente circulaire et qui n'observent pas ses prescriptions disposent d'un délai d'un an pour s'y conformer.

Rabat le, 9 juillet 2007.

ABDELLATIF JOUAHRI.

Le texte en langue arabe a été publié dans l'édition générale du « Bulletin officiel » n° 5557 du 20 chaabane 1428 (3 septembre 2007).

**Arrêté du ministre de l'agriculture, du développement rural et des pêches maritimes n° 1628-07 du 8 chaabane 1428 (22 août 2007) modifiant et complétant l'arrêté du 13 regeb 1334 (16 mai 1916) concernant le commerce des eaux-de-vie et des produits similaires.**

LE MINISTRE DE L'AGRICULTURE, DU DEVELOPPEMENT RURAL ET DES PECHES MARITIMES,

Vu la loi n° 13-83 relative à la répression des fraudes promulguée par le dahir n° 1-83-108 du 9 moharrem 1405 (5 octobre 1984), notamment son article 16 ;

Vu l'arrêté du 13 regeb 1334 (16 mai 1916) concernant le commerce des eaux-de-vie et des produits similaires, tel qu'il a été modifié et complété ;

Vu le décret n° 2-89-308 du 27 chaoual 1409 (2 juin 1989) portant délégation de pouvoir au ministre de l'agriculture et de la réforme agraire, tel qu'il a été complété par le décret n° 2-06-190 du 16 jomada II 1427 (12 juillet 2006),

ARRÊTE :

ARTICLE PREMIER. – Les dispositions des articles 3 (alinéas 19, 20 et 21) 6 et 11 de l'arrêté susvisé du 13 regeb 1334 (16 mai 1916) sont abrogées et remplacées comme suit :

« Article 3 (alinéa 19). – La dénomination de « Mahia » est « réservée exclusivement à l'eau-de-vie naturelle résultant de la « distillation de moûts fermentés provenant de figues et/ou de « dattes en présence de graines d'anis, sans rectification « consécutive.

« Cette eau-de-vie, lorsqu'elle est additionnée d'alcool « éthylique, ne peut porter dans sa présentation, sous quelque « forme que ce soit, le terme « Mahia ».

« Article 6. – Pour que les boissons spiritueuses puissent « être commercialisées en vue de la consommation humaine, « elles ne peuvent être désignées en associant des mots ou de « formules tels que « genre », « type », « façon », « style », « « marque », « goût », « fantaisie » ou autres mentions analogues. »

« Article 11. – A l'exclusion des compétences reconnues, « en la matière, par la réglementation en vigueur à d'autres « autorités gouvernementales, l'importation, la fabrication et/ou « la mise en bouteilles et/ou l'exercice d'une activité de négoce « des boissons spiritueuses sont subordonnées à autorisation « préalable du ministre chargé de l'agriculture, accordée après « avis de l'autorité préfectorale ou provinciale concernée.

« Cette autorisation ne peut être accordée que si les ateliers « où sont préparées et/ou conditionnées et/ou stockées lesdites « boissons répondent aux exigences suivantes :

- « – disposer d'une superficie suffisante pour permettre le « bon déroulement des différentes opérations ;
- « – satisfaire les conditions d'hygiène fixées par la norme « marocaine NM 08.0.000 relative aux principes généraux « d'hygiène alimentaire ;
- « – disposer de matériels automatiques de lavage et de mise « en bouteilles de ces boissons ;
- « – satisfaire aux exigences requises en matière de « conservation et de stockage des produits alimentaires.

« Cette autorisation peut faire l'objet à tout moment d'un « retrait ou d'une suspension si les conditions requises ne sont « plus observées et ce, selon la gravité des anomalies ou « infractions constatées. »

ART. 2. – L'arrêté susvisé du 13 rejeb 1334 (16 mai 1916) est complété par les articles 3 bis, 3 ter, 10 bis et 10 ter suivants :

« Article. 3 bis. – Au sens du présent arrêté, on entend par :

« 1 – alcool éthylique d'origine agricole, le liquide alcoolique « dont les caractéristiques sont celles fixées par la norme « marocaine (NM 03.2.170). Quand il est fait référence à la « matière première utilisée, l'alcool doit être obtenue exclusivement « à partir de cette matière première ;

« 2 – distillat d'origine agricole, liquide alcoolique obtenu « par distillation, après fermentation alcoolique de produits « agricoles, qui ne présente pas les caractères de l'alcool « éthylique tel que définit dans le présent arrêté, ni ceux d'une « boisson spiritueuse mais qui a conservé un arôme et un goût « provenant des matières premières utilisées. Quant il est fait « référence à la matière première utilisée, le distillat doit être « obtenu exclusivement à partir de cette matière première.

« 3 – boisson spiritueuse ou spiritueux, le liquide alcoolique « destiné à la consommation humaine, ayant des caractères « organoleptiques particuliers et obtenu soit :

- « – directement par distillation, en présence ou non « d'arômes, de produits fermentés naturels et/ou par « macération de substances végétales et/ou par addition « d'arômes, de sucre ou d'autres produits édulcorants « autorisés et/ou d'autres produits agricoles à l'alcool « éthylique d'origine agricole et/ou à un distillat « d'origine et/ou une eau-de-vie ;
- « – par mélange d'une boisson spiritueuse avec :
  - « \* une ou plusieurs autres boissons spiritueuses ;
  - « \* de l'alcool éthylique d'origine agricole, du distillat « d'origine agricole ou de l'eau-de-vie ;
  - « \* une ou plusieurs boissons alcooliques ;
  - « \* une ou plusieurs boissons.

« 4 – titre alcoométrique volumique, le rapport entre le « volume d'alcool à l'état pur, à la température de 20 degrés « Celsius, contenu dans le produit considéré et le volume total de « ce produit à la même température.

« Article 3 ter. – Les boissons spiritueuses énumérées « ci-après ne peuvent être livrées à la consommation humaine, « que si elles présentent le titre alcoométrique volumique « minimal suivant :

- « 40 % Whisky ;
- « 40 % Pastis ;
- « 40 % Mahia ;
- « 37,5 % Rhum ;
- « 37,5 % Eau-de-vie de vin ;
- « 37,5 % Eau-de-vie de mars de raisin ;
- « 37,5 % de fruit ;
- « 37,5 % Eau-de-vie de cidre ou de poiré ;
- « 37,5 % Eau-de-vie de gentiane ;
- « 37,5 % Gin ;
- « 37,5 % Vodka ;
- « 36 % Brandy ;
- « 35 % Anis ;
- « 35 % Boisson spiritueuse de céréales ;
- « 25 % Boisson spiritueuse de fruit ;
- « 15% Boisson spiritueuse anisée ;
- « 5 % Boisson spiritueuse dénommée « Mixed Drink ».

« D'autres produits proposés sous des dénominations autres « que celles prévues par le présent arrêté peuvent être autorisés « par les services compétents relevant du ministère chargé de « l'agriculture sur la base de l'examen d'un dossier technique « comprenant les documents suivants :

- « – une fiche technique relative au produit dont il s'agit et à « son emballage ;
- « – un échantillon de l'emballage de ce produit ;
- « – un certificat de libre circulation du produit dans le pays « d'origine s'il s'agit d'un produit importé ;
- « – un rapport d'analyse établi par un laboratoire agréé ;
- « – et tout autre document y afférent. »

« Article 10 bis. – L'usage de bouteilles de récupération « pour le conditionnement des boissons spiritueuses est interdit « sauf si l'atelier où se réalise la mise en bouteilles dispose « d'équipement et de matériels automatiques permettant « d'assurer un lavage approprié.

« Seuls les emballages en verre ou en polyéthylène (PET) « de contenances ci-après sont autorisés pour le conditionnement « des boissons spiritueuses : 5 cl - 20 cl - 25 cl - 35 cl - 37,5 cl - « 50 cl - 70 cl - 75 cl - 100 cl - 150 cl - 200 cl et toutes autres « contenances supérieures en allant par des tranches de volumes « de 50 cl.

« Article 10 ter. – L'étiquetage et la présentation des « spiritueux et des boissons spiritueuses doivent être conformes « aux dispositions réglementaires en vigueur en la matière.

« L'étiquetage de ces produits doit comporter notamment  
« les mentions suivantes :

- « – la dénomination de vente ;
- « – le volume net ;
- « – le titre alcoométrique volumique acquis ;
- « – le nom ou la raison sociale et l'adresse du fabricant ou  
« du conditionneur ;
- « – le nom ou la raison sociale et l'adresse de l'importateur  
« pour les produits importés ;
- « – la liste des ingrédients pour les boissons spiritueuses  
« autres que les eaux-de-vie naturelles ;
- « – la durée de validité pour les boissons titrant moins de  
« 10 % vol en alcool ;
- « – le numéro du lot de fabrication ;
- « – le lieu d'origine ou de provenance, chaque fois que  
« l'omission de cette mention est de nature à créer une  
« confusion dans l'esprit de l'acheteur sur leur origine ou  
« leur provenance réelle. »

ART. 3. – Sont abrogés le 3<sup>e</sup> alinéa de l'article 4, le 3<sup>e</sup>, 4<sup>e</sup> et 5<sup>e</sup> alinéas de l'article 7 de l'arrêté susvisé du 13 rejeb 1334 (16 mai 1916).

ART. 4. – Le directeur de la protection des végétaux, des contrôles techniques et de la répression des fraudes est chargé de l'application du présent arrêté qui sera publié au Bulletin officiel et entrera en vigueur le 1<sup>er</sup> février 2008.

*Rabat, le 8 chaabane 1428 (22 août 2007).*

MOHAND LAENSER.

**Arrêté conjoint du ministre de l'agriculture, du développement rural et des pêches maritimes et du ministre des finances et de la privatisation n° 1654-07 du 14 chaabane 1428 (28 août 2007) fixant les taux de subvention à la commercialisation des semences céréalières et la prime de stockage au titre de la campagne agricole 2007-2008.**

LE MINISTRE DE L'AGRICULTURE, DU DEVELOPPEMENT RURAL ET DES PECHES MARITIMES,

LE MINISTRE DES FINANCES ET DE LA PRIVATISATION,

Vu le dahir n° 1-69-169 du 10 jomada I 1389 (25 juillet 1969) réglementant la production et la commercialisation de semences et de plants, tel qu'il a été modifié par le dahir portant loi n° 1-76-472 du 5 chaoual 1397 (19 septembre 1977), notamment son article 7,

ARRÊTENT :

ARTICLE PREMIER. – Les semences certifiées de céréales (catégories G3, G4, R1 et R2) et les semences de générations ultérieures à la deuxième reproduction (R2) (Bon à semer) de blé dur, de blé tendre et d'orge commercialisées par les sociétés semencières agréées, au cours de la campagne agricole 2007-2008, bénéficieront d'une subvention unitaire de 115 DH/ql.

ART. 2. – La subvention sera versée directement aux sociétés semencières agréées qui commercialisent les semences aux prix subventionnés maxima figurant dans le tableau suivant :

ESPECES	PRIX MAXIMA SUBVENTIONNES DE RETROCESSION DES SEMENCES CEREAALIERES CERTIFIEES (DH/QL)				PRIX MAXIMA SUBVENTIONNES DE RETROCESSION DES SEMENCES DE GENERATION ULTERIEURE A (R2) (DH/QL)
	G3	G4	R1	R2	
Blé tendre	465	365	350	335	320
Blé dur	505	405	390	375	360
Orge	415	315	300	285	270

ART. 3. – Les semences de blé tendre, de blé dur et d'orge de générations ultérieures à la deuxième reproduction (R2) (Bon à semer) s'entendent pour :

a) les semences issues des programmes de multiplications, contrôlées au champ et non agréées au laboratoire en qualité de semences certifiées, mais répondent aux normes du bon à semer ;

b) les semences issues de la collecte aux champs ayant bénéficié des bulletins d'échantillons délivrés par la DPVCTRF et répondant aux normes du bon à semer ;

Les lots de ces semences seront sellés par les inspections régionales de la DPVCTRF. Ces semences seront traitées et emballées dans des sacs neufs portant des étiquettes de couleur autres que blanche, bleu ou rouge et portant une indication lisible et apparente « semences de génération ultérieure à la R2 » ou « Bon à semer ».

ART. 4. – Les semences certifiées de blé tendre, de blé dur et d'orge d'origine importées (stock de report ou achat de l'année 2007) et commercialisées par les sociétés semencières agréées, au cours de la campagne agricole 2007-2008, aux prix maxima indiqués à l'article 2, bénéficieront d'une subvention unitaire de :

- 300 DH/ql pour les semences certifiées ;
- 400 DH/ql pour les semences de base ;
- 500 DH/ql pour les semences de pré-base ;

ART. 5. – Les sociétés semencières agréées bénéficieront d'une prime de stockage de 5 (cinq) DH/ql/mois pendant une période égale à neuf mois. Cette prime est accordée pour un volume maximum de 220.000 qx répartis entre lesdites sociétés au prorata du volume commercialisé en semences certifiées au cours de la campagne agricole 2007-2008 (du 1<sup>er</sup> septembre 2007 au 31 janvier 2008).

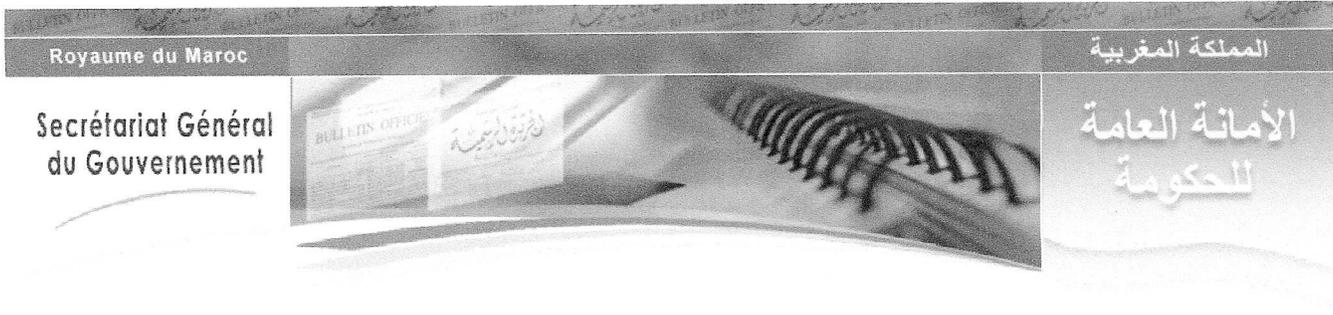
ART. 6. – Les dispositions du présent arrêté conjoint, qui sera publié au *Bulletin officiel* entrent en vigueur à partir du 1<sup>er</sup> septembre 2007.

*Rabat, le 14 chaabane 1428 (28 août 2007).*

*Le ministre de l'agriculture,  
du développement rural  
et des pêches maritimes.*  
MOHAND LAENSER.

*Le ministre des finances  
et de la privatisation,*  
FATHALLAH OUALALOU.

Le texte en langue arabe a été publié dans l'édition générale du « Bulletin officiel » n° 5557 du 20 chaabane 1428 (3 septembre 2007).



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**Exhibit 24**

- Epicerie  
Boissons
- Epicerie fine  
Alimentation Bébé
- Les Pains Jacquet  
Beauté Santé
- Biscuiterie  
Ménage
- Crèmerie  
Entretien
- Au Bon Fromage  
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 <b>LIQUEUR ANIS LAAROUSSA 25CL</b> Laaroussa 58,00 DH/Litre - 1 + <b>14,50 DH</b>	 <b>LIQUEUR ANIS LAAROUSSA 37.5CL</b> Laaroussa 60,00 DH/Litre - 1 + <b>22,50 DH</b>	 <b>LIQUEUR ANISE COURONNE 25CL</b> Couronne 58,00 DH/Litre - 1 + <b>14,50 DH</b>
 <b>EAU DE VIE MAHIA SAHRAOUIA 37.5CL</b> Mahia Saharaouia 61,87 DH/Litre - 1 + <b>23,20 DH</b>	 <b>EAU DE VIE MAHIA TAFRAOUT 20CL</b> Mahia Tafraout 72,50 DH/Litre - 1 + <b>14,50 DH</b>	 <b>EAU DE VIE MAHIA TAFRAOUT 75CL</b> Mahia Tafraout 65,20 DH/Litre - 1 + <b>48,90 DH</b>
 <b>EAU DE VIE MAHIA TAFRAOUT 37.5CL</b> Mahia Tafraout 70,67 DH/Litre - 1 + <b>26,50 DH</b>	 <b>EAU DE VIE MAHIA TAFRAOUT 25CL</b> Mahia Tafraout 70,00 DH/Litre - 1 + <b>17,50 DH</b>	 <b>EAU DE VIE MAHIA OUNO 37.5CL</b> Mahia Ouno 75,73 DH/Litre - 1 + <b>28,40 DH</b>
 <b>EAU DE VIE MAHIA RISSANIA 37.5CL</b> Mahia Rissania 77,33 DH/Litre - 1 + <b>29,00 DH</b>	 <b>EAU DE VIE MAHIA RISSANIA 25CL</b> Mahia Rissania 77,33 DH/Litre - 1 + <b>17,40 DH</b>	 <b>EAU DE VIE MAHIA TAMRIRT 75CL</b> Mahia Tamrirt 65,33 DH/Litre - 1 + <b>49,00 DH</b>
 <b>EAU DE VIE MAHIA TAMRIRT 37.5CL</b> Mahia Tamrirt 77,33 DH/Litre - 1 + <b>29,00 DH</b>	 <b>EAU DE VIE MAHIA TAMRIRT 25CL</b> Mahia Tamrirt 64,00 DH/Litre - 1 + <b>16,00 DH</b>	 <b>CREME DE CASSIS L'HERITIER GUYOT 70CL</b> L'HERITIER GUYOT 170,00 DH/Litre - 1 + <b>119,00 DH</b>
 <b>LIQUEUR MANZANITA POMME VERTE MARIE BRIZARD 70CL</b> MARIE BRIZARD 170,00 DH/Litre - 1 + <b>119,00 DH</b>	 <b>LIQUEUR BRANDY ABRICOT MARIE BRIZARD 70CL</b> MARIE BRIZARD 170,00 DH/Litre - 1 + <b>119,00 DH</b>	 <b>LIQUEUR FRAMBOISE MARIE BRIZARD 70CL</b> MARIE BRIZARD 170,00 DH/Litre - 1 + <b>119,00 DH</b>

Un site PROK BUSINESS

**Exhibit 25**

# Webster's Online Dictionary

with Multilingual Thesaurus Translation

Eau De Vie

Definitions Only

Earth's largest dictionary with more than 1226 modern languages and Eve!

**Free Online Dictionary**  
Word Definitions,  
Translate & More.  
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hi, coupons!  
(or, haiku-pons?)



poetic savings on  
all your favorites  
at Target.com

## Definition: Eau De Vie

Part of Speech	Definition
<b>Noun</b>	1. Strong coarse brandy. <sup>[Wordnet]</sup>
<b>Expression</b>	1. French name for brandy. Cf. Aqua vitae, under Aqua. <sup>[Websters]</sup>

Sources: [WordNet 3.0](#) Copyright © 2006 by Princeton University. All rights reserved. [Webster's Revised Unabridged Dictionary \(1913\)](#)

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## Extended Definition: Eau De Vie

### Eau-de-vie



Three bottles of spirits: framboise (raspberry) eau de vie, zinfandel grappa, and kirsch (cherry) eau de vie

An **eau-de-vie** (plural, **eaux-de-vie**) is a clear, colorless fruit brandy that is produced by means of fermentation and double distillation. The fruit flavor is typically very light.

Although *eau de vie* is a French term, these distilled beverages are also produced in other countries (for example, German Schnaps, Serbian slivovitz, Hungarian palinka, and Sri Lankan coconut arrack).

A typical scenario would involve growing the appropriate fruit, harvesting it when ripe, fermenting the crushed fruit, and then distilling. Eaux-de-vie are typically not aged in wooden casks, hence they are clear. The ripe fruit is fermented, distilled, and quickly bottled in order to preserve the freshness and aroma of the parent fruit. Although this is the usual practice, some variants do exist, and some distillers age their products before bottling.<sup>[1]</sup>

Some commonly available flavors are eau-de-vie de poire (pear), eau-de-vie de pomme (apple), eau-de-vie de mirabelle (yellow plum), and eau-de-vie de pêche (peach). When made from pomace, it is called pomace brandy or *marc*.

The apple-flavored spirit Calvados is made by aging it in wooden casks before bottling.

### Serving

Exact serving preferences vary by individual, but here are some general guidelines:

- **Temperature:** Eaux-de-vie are usually served chilled.
- **Serving size:** Usually served as a digestif (a postprandial alcoholic drink that aids digestion). The typical serving size is 1–2 ounces, owing to the high alcohol content of the spirit and to the fact that it is typically drunk after a meal during which wine, or some other alcoholic beverage, has already been served.
- **Glassware.** Some connoisseurs recommend a tulip-shaped glass; others recommend a snifter.

## Etymology

*Eau de vie* is a French expression that means *water of life*. Other spirits have similar etymologies, such as whisky, which is an anglicization of the Irish *uisce beatha* or of the Scottish Gaelic *uisge beatha*. Similarly, we see *aqua vitae* in Latin (pronounced /AHK-wə VYE-tee/) and *akvavit* (/AHK-və-veet/) in the Scandinavian languages. The Slavic terms (*wódka* in Polish and *vodka* in Russian) are diminutives of the words for *water*.

## See also

- Akvavit
- Aqua vitae
- Brandy
- Fruit brandy
- Cognac
- German Schnaps
- Grappa
- Palinka
- Slivovitz

## References

1. "[An Orchard in a Bottle, at 80 Proof](#)", New York Times (2007-08-15). Retrieved on 2007-07-21. "But his first love are the gorgeous, impeccably pure eaux de vie that he makes from pears and plums, cherries and raspberries, and even, in a distinctly Northwestern touch, from the springtime buds of Douglas firs."

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Source: adapted by [the editor](#) from [Wikipedia](#), the free encyclopedia; from the article "[Eau de vie](#)". [Image Credit](#).  
[bookmark](#) [email](#) [print](#) [tweet](#) [facebook](#)

## Translations: Eau De Vie

Language	Translations (or nearest inflections or synonyms, in parentheses)
Albanian	<b>konjak</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Albanian</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Arnaut	<b>konjak</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Arnaut</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Balgarski	<b>ракия</b> (raki, schnapps, brandy, eau de vie). Additional references: <a href="#">Balgarski</a> , <a href="#">Bulgaria</a> , <a href="#">Greece</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Balgarski (transliteration)	<b>rakiya</b> (raki, schnapps, brandy, eau de vie). Additional references: <a href="#">Balgarski</a> , <a href="#">Bulgaria</a> , <a href="#">Greece</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Bulgarian	<b>ракия</b> (raki, schnapps, brandy, eau de vie). Additional references: <a href="#">Bulgarian</a> , <a href="#">Bulgaria</a> , <a href="#">Greece</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Bulgarian (transliteration)	<b>rakiya</b> (raki, schnapps, brandy, eau de vie). Additional references: <a href="#">Bulgarian</a> , <a href="#">Bulgaria</a> , <a href="#">Greece</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Hanguk Mal	<b>브랜디</b> (brandy, eau de vie). Additional references: <a href="#">Hanguk Mal</a> , <a href="#">Korea, South</a> , <a href="#">Korea</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Hanguohua	<b>브랜디</b> (brandy, eau de vie). Additional references: <a href="#">Hanguohua</a> , <a href="#">Korea, South</a> , <a href="#">Korea</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Korean	<b>브랜디</b> (brandy, eau de vie). Additional references: <a href="#">Korean</a> , <a href="#">Korea, South</a> , <a href="#">Korea</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Norwegian	<b>eau-de-konkurrerer</b> (eau de vie). Additional references: <a href="#">Norwegian</a> , <a href="#">Norway</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )

Russian	<b>ко́ньяк</b> (cognac, brandy, eau de vie, eau-de-vie, French brandy). Additional references: <a href="#">Russian</a> , <a href="#">Russia</a> , <a href="#">China</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Russian (transliteration)	<b>коп'як</b> (cognac, brandy, eau de vie, eau-de-vie, French brandy). Additional references: <a href="#">Russian</a> , <a href="#">Russia</a> , <a href="#">China</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Russki	<b>ко́ньяк</b> (cognac, brandy, eau de vie, eau-de-vie, French brandy). Additional references: <a href="#">Russki</a> , <a href="#">Russia</a> , <a href="#">China</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Russki (transliteration)	<b>коп'як</b> (cognac, brandy, eau de vie, eau-de-vie, French brandy). Additional references: <a href="#">Russki</a> , <a href="#">Russia</a> , <a href="#">China</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Shkip	<b>коњак</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Shkip</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Shqip	<b>коњак</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Shqip</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Shqiperë	<b>коњак</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Shqiperë</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Skchip	<b>коњак</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Skchip</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Tosk	<b>коњак</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Tosk</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Turkish	<b>kanıyak</b> (brandy, cognac, eau de vie, fortified castle). Additional references: <a href="#">Turkish</a> , <a href="#">Turkey</a> , <a href="#">Bulgaria</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )
Zhgabe	<b>коњак</b> (brandy, cognac, eau de vie). Additional references: <a href="#">Zhgabe</a> , <a href="#">Turkey (Europe)</a> , <a href="#">eau de vie</a> . ( <a href="#">volunteer &amp; more translations</a> )

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Source: [Eve](#), based on a combination of meta analysis and graph theory (for near and back translations).

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## Poetic Definitions: Eau De Vie

Poetic Form

Didactic "Edge Poems"

Zedd

Shriekingly drinkable or potable.  
 raging  
 founding  
 deliberate  
 condensate  
 Certainly not sterling or reliable.



— Shannon Howard

Yoda

**Brandy: Master, am I digestive?**

A cognac, before creation you were!  
 An applejack, you have been!  
 A firewater, you are!  
 A liquor, you will unendingly be!



— Edith Fletcher

Xenia Epigram

To *Eau De Vie* I offer this thanks,  
 when needing something like *firewater*  
 When writing poetry and drawing blanks,  
 I often settle using *snifter*

I have been seaching ever more,  
 hoping again to sing your praise.  
 For words, I very much adore,  
 lacking me in several ways.



— Curtis Foster

Waka

A vigorousness  
 that is encouragingly  
 supernatural.  
 An alcohol or liquor.  
 A life or vitality.



— Florence Cooper

Verse (modern)

**Eau De Vie**

Can verse find a rhyme for brandy? Maybe poets will use randy.



— Connie Marshal

Unitoum

**Eau De Vie**

Really  
 fair  
 greatly  
 light

fair  
 essence  
 light  
 heart

essence  
 concurred  
 heart  
 adopted

concurred  
 greatly  
 adopted  
 really.



— Diana Ros

Tanaka

Caustic solution

**Exhibit 26**

# Eau de vie

From Wikipedia, the free encyclopedia

An **eau de vie** (plural, **eaux de vie** — also spelled **eau-de-vie** and **caux-de-vie**) is a clear, colorless fruit brandy that is produced by means of fermentation and double distillation. The fruit flavor is typically very light.

## Contents

- 1 Production
- 2 Serving
- 3 Etymology
- 4 See also
- 5 References
- 6 External links

## Production

A typical scenario would involve growing the appropriate fruit, harvesting it when ripe, fermenting the crushed fruit, and then distilling. Eaux-de-vie are typically not aged in wooden casks, hence they are clear. The ripe fruit is fermented, distilled, and quickly bottled in order to preserve the freshness and aroma of the parent fruit. Although this is the usual practice, some variants do exist, and some distillers age their products before bottling.<sup>[1]</sup>

Some commonly available flavors are eau-de-vie de poire (pear), eau-de-vie de pomme (apple), eau-de-vie de mirabelle (yellow plum), and eau-de-vie de pêche (peach). When made from pomace, it is called pomace brandy or *marc*.

The French apple-flavored spirit Calvados is made by aging it in wooden casks before bottling.

The term can also refer to maple eau-de-vie, made from maple syrup.

Although *eau de vie* is a French term, similar distilled beverages are produced in other countries (e.g., German Schnaps, Balkan rakia, Romanian tuica, Czech slivovice, Slovak slivovica, Hungarian palinka, Sri Lankan coconut arrack, and Georgian chacha (ჭაჭა)).

## Serving



Three bottles of eau-de-vie. The flavors are framboise (raspberry), zinfandel grape, and cherry.

Exact serving preferences vary by individual, but here are some general guidelines:

- **Serving size:** Usually served as a digestif (a postprandial alcoholic drink that aids digestion). The typical serving size is 1–2 ounces, owing to the high alcohol content of the spirit and to the fact that it is typically drunk after a meal during which wine, or some other alcoholic beverage, has already been served.
- **Glassware.** Some connoisseurs recommend a tulip-shaped glass; others recommend a snifter.

## Etymology

*Eau de vie* is a French expression that means *water of life*. Other spirits have similar etymologies, such as whisky, which is an anglicization of the Irish *uisce beatha* or of the Scottish Gaelic *uisge beatha*. Similarly, we see *aqua vitae* in Latin (English pronunciation: /ˈɑːkwəˈvaɪtiː/) and *akvavit* (/ækvəˈviːt/) in the Scandinavian languages. The Slavic terms *wódka* (Polish) and *vodka* (Russian) are diminutives of the words for *water*.

## See also

- Akvavit
- Aqua vitae
- Armagnac
- Brandy
- Fruit brandy
- Cognac
- Damassine
- Grappa
- Palinka
- Rakia
- Schnapps
- Slivovitz
- Williamine

## References

- ↑ Asimov, Eric (2007-08-15). "An Orchard in a Bottle, at 80 Proof" (<http://www.nytimes.com/2007/08/15/dining/15pour.html>) . New York Times. <http://www.nytimes.com/2007/08/15/dining/15pour.html>. Retrieved 2007-07-21. "But his first love are the gorgeous, impeccably pure eaux de vie that he makes from pears and plums, cherries and raspberries, and even, in a distinctly Northwestern touch, from the springtime buds of Douglas firs."

## External links

- Eau De Vie Pear Brandy: A Personal quest (<http://cookingupastory.com/show/eau-de-vie-pear-brandy-a-personal-quest/>) (video)

<http://dafina.net/forums/read.php?54,104173>

Retrieved from "[http://en.wikipedia.org/wiki/Eau\\_de\\_vie](http://en.wikipedia.org/wiki/Eau_de_vie)"

Categories: [Brandies](#) | [French words and phrases](#)   [...](#)

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**Exhibit 27**



HOME WINES CHAMPAGNES SPARKLING SPIRITS SPECIAL PRODUCTS KOSHER WINE DISTRIBUTORS CONTACT

Anis Phénix remains the undisputed leader among the kosher spirits. Many different types of spirits have been produced in kosher form (pastis, vodka, eau de vie, vermouth, Cognac, etc.), including by brands as famed as Ricard, Martini and Courvoisier.

#### APERITIFS

ANIS  
VERMOUTH  
BOUKHA  
ARACK  
MAHIA  
VODKA

#### DIGESTIVE

EAUX DE VIE  
RHUM  
COGNAC - BRANDY

#### LIQUORS

LIQUEURS



**ANIS PHENIX 100 CL...**  
Appellation : **Anis**  
Degree : **45%**  
Size : **100cl**  
Supervision : **Paris**  
Bottles / case : **12**



**ANIS PHENIX 50 CL...**  
Appellation : **Anis**  
Degree : **45%**  
Size : **50cl**  
Supervision : **Paris**  
Bottles / case : **16**



**ANIS PHENIX 70 CL...**  
Appellation : **Anis**  
Degree : **45%**  
Size : **70cl**  
Supervision : **Paris**  
Bottles / case : **12**



**ANIS PHENIX CUVÉE ANNIVERSAIRE 150 ANS...**  
Appellation : **Anis**  
Degree : **45%**  
Size : **70cl**  
Supervision : **Paris**  
Bottles / case : **12**



1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 -



HOME WINES CHAMPAGNES SPARKLING SPIRITS SPECIAL PRODUCTS KOSHER WINE DISTRIBUTORS CONTACT

Anis Phénix remains the undisputed leader among the kosher spirits. Many different types of spirits have been produced in kosher form (pastis, vodka, eau de vie, vermouth, Cognac, etc.), including by brands as famed as Ricard, Martini and Courvoisier.

#### APERITIFS

ANIS  
VERMOUTH  
BOUKHA  
ARACK  
MAHIA  
VODKA



#### MAHIA MEKNESIAH...

Appellation : **Mahia**  
Degree : **36%**  
Size : **70cl**  
Supervision : **Paris**  
Bottles / case : **12**

1 -

#### DIGESTIVE

EUX DE VIE  
RHUM  
COGNAC - BRANDY

#### LIQUORS

LIQUEURS



- HOME
- WINES
- CHAMPAGNES
- SPARKLING
- SPIRITS
- SPECIAL PRODUCTS
- KOSHER WINE
- DISTRIBUTORS
- CONTACT

**Clovis LESIEUTRE et CIE**  
 Distillerie << Le Phénix >> Groupe Moise Taieb  
 3/5, Rue des Artisans 42300 ROANNE - FRANCE  
 Phone : +33 4.77.70.57.96 / Fax : +33 4.77.70.03.47  
 Email : gm.taieb@wanadoo.fr

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 General Manager.....Mr Yoni TAIEB [ytaleb@gmtaieb.com](mailto:ytaleb@gmtaieb.com)  
 Sales Manager.....Mr Maurice COHEN [mcohen@gmtaieb.com](mailto:mcohen@gmtaieb.com)  
 Sales Assistant.....Mme Marie-Jo FERRIER [gm.taieb@wanadoo.fr](mailto:gm.taieb@wanadoo.fr)

If you have any question, a request on our company, our product, please don't hesitate to contact us using the email addresses above, or complete the form below and we'll get back to you as soon as possible. Our suppliers partners

Name \*

Company \*

City \*

Country \*

Phone \*

E-Mail \*

Message \*

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- [www.chablisienne.com](http://www.chablisienne.com)
- [www.josephmellot.com](http://www.josephmellot.com)
- [www.recanati-winery.com](http://www.recanati-winery.com)
- [www.courvoisier.com](http://www.courvoisier.com)
- [www.martini.com](http://www.martini.com)
- [www.pastisricard.fr](http://www.pastisricard.fr)

**Exhibit 28**

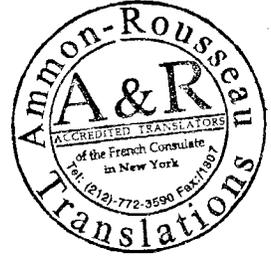
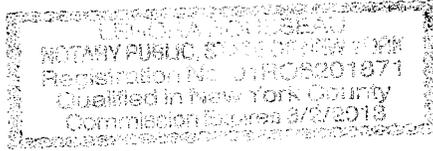
**TRANSLATOR'S CERTIFICATION**

I the undersigned Didier Rousseau, accredited translator of the French Consulate in New York, certify that I have full command of the French and English languages and that I have translated the attached extracts from the *Cuisine marocaine* (Moroccan Cooking) from Wikipedia ([http://fr.wikipedia.org/wiki/Cuisine\\_marocain](http://fr.wikipedia.org/wiki/Cuisine_marocain)) from French to English. The Wikipedia article is 4 pages and my translation of the extracts is on 3 pages. It is a complete and accurate translation of the extracts requested from the original document.

Sworn before me this 20 day of June 2011

  
Notary Public

  
Translator



# Moroccan Cooking

Cusine marocaine – Wikipédia

[http://fr.wikipedia.org/wiki/Cuisine\\_marocaine](http://fr.wikipedia.org/wiki/Cuisine_marocaine)

## Table of Contents

- 1
- 2
- 3
- 4 Wines and alcoholic beverages from Morocco

“\*\*\*\*\*”

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6/16/11 12:33PM

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Cusine marocaine – Wikipédia

[http://fr.wikipedia.org/wiki/Cuisine\\_marocaine](http://fr.wikipedia.org/wiki/Cuisine_marocaine)

## Wines and alcoholic beverages from Morocco

“\*\*\*\*\*”

Mahia (spirits) is a fig alcohol, with an alcohol content of 40%. Morocco also has beers such as Flag spécial, Casablanca, and Pils, as well as Heineken brewed by Moroccan Breweries.

“\*\*\*\*\*”

3 of 4

6/16/11 12:33PM

Cusine marocaine – Wikipédia

[http://fr.wikipedia.org/wiki/Cuisine\\_marocaine](http://fr.wikipedia.org/wiki/Cuisine_marocaine)

“\*\*\*\*”

This document is from “[http://fr.wikipedia.org/wiki/Cuisine\\_marocaine](http://fr.wikipedia.org/wiki/Cuisine_marocaine)”.

Last modification of this page on March 6, 2011 at 8:09 PM.

“\*\*\*\*”

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6/16/11 12:33PM

# Cuisine marocaine

La **cuisine marocaine** est une cuisine méditerranéenne caractérisée par sa variété de plats issus des traditions arabes ou berbères, utilisant de nombreuses épices, et ses pâtisseries à base d'amandes et de miel.

## Sommaire

- 1 Description
- 2 Condiments et épices
- 3 Pâtisserie marocaine
- 4 Vins et alcools du Maroc
- 5 Patrimoine culturel immatériel
- 6 Notes et références
- 7 Voir aussi
  - 7.1 Articles connexes
  - 7.2 Liens externes

## Description

La **cuisine marocaine** se caractérise par une très grande diversité de plats : couscous, innombrables tajines, pastilla , méchoui, pour les plus connus, mais aussi bien d'autres plats souvent connus des seuls Marocains : le tajine mrouzia, la tangia marrakchie, la harira (soupe de la rupture du jeûne du ramadan), le baddaz, la tagoula (bouillie de farine d'orge), la seffa ; il existe aussi beaucoup de recettes régionales et chaque lieu a sa variété de menthe pour préparer le thé. La pâtisserie marocaine est également très variée.



Couscous marocain.

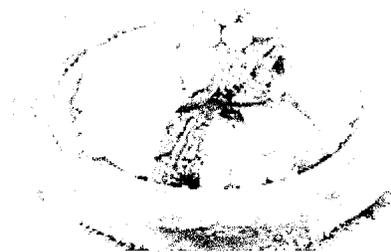
La cuisine marocaine a subi de multiples influences : la cuisine arabe, certaines recettes remonteraient à l'époque des Abbassides, la cuisine berbère pour le couscous en particulier, la cuisine morisque pour les ragouts, tajines et le mélange sucré-salé. On note également une influence des cuisines d'Afrique subsaharienne, juive et des cultures culinaires venant de pays d'Asie du sud comme l'Inde.

## Condiments et épices

Les épices jouent un rôle prépondérant dans la cuisine du Maroc. D'autres ingrédients comme la menthe et les olives accompagnent les mets.

## Pâtisserie marocaine

La cuisine marocaine est riche en pâtisseries souvent à base d'amandes et de miel.



Couscous aux légumes (Maroc)

## Vins et alcools du Maroc

Le Maroc est un pays musulman, où l'alcool est prohibé pour les croyants, mais les vignobles ne manquent pas, en raison de la présence européenne, essentiellement française et espagnole, pendant la première moitié du XX<sup>e</sup> siècle. Les principaux vins du pays sont :

- Vin rouge :
  - Thaleb
  - Cabernet
  - Ksar
  - Chaud-Soleil
  - Guerrouane
  - Boulaouane
  - Vieux-Papes
  - Oustalet
  - Père-Antoine
  - Sidi Brahim
  - Cardinal Amazir
- Vin blanc :
  - Chaud-Soleil
  - Valpierre
  - Muscat de Béni-Snassen
- Vin rosé :
  - Oustalet
  - Guerrouane
- Vin gris :
  - Boulaouane



Sidi-Brahim rosé, vin des contreforts de l'Atlas

La Mahia (eau de vie) est un alcool de figue, alcool fort titrant 40°. Le Maroc a aussi ses bières telles la Flag spécial, la Casablanca, ou la Pils, mais aussi la Heineken brassée par les Brasseries du Maroc.

## Patrimoine culturel immatériel

« La diète méditerranéenne » (« ensemble de savoir-faire, connaissances, pratiques et traditions »<sup>1</sup> qui concerne l'Espagne, la Grèce, l'Italie et le Maroc) a été inscrite le 16 novembre 2010 sur la liste représentative du patrimoine culturel immatériel de l'humanité de l'UNESCO<sup>2</sup>.

## Notes et références

- ↑ « La diète méditerranéenne se caractérise par un modèle nutritionnel qui est demeuré constant dans le temps et l'espace et dont les principaux ingrédients sont l'huile d'olive, les céréales, les fruits et légumes frais ou séchés, une proportion limitée de poisson, produits laitiers et viande, et de nombreux condiments et épices, le tout accompagné de vin ou d'infusions, toujours dans le respect des croyances de chaque communauté » *La diète méditerranéenne*, UNESCO (<http://www.unesco.org/culture/ich/index.php?lg=fr&pg=00011&RL=00394>)
- 2 *La diète méditerranéenne*, UNESCO (<http://www.unesco.org/culture/ich/fr/RI/00394>)

## Voir aussi

### Articles connexes

- Pâtisserie marocaine
- Cuisine berbère
- Cuisine des pays du Maghreb

### Liens externes

- La Cuisine marocaine (<http://www.la-cuisine-marocaine.com>)
- Cuisine marocaine (<http://www.marocain.biz/maroc/cuisine.php>)

Ce document provient de « [http://fr.wikipedia.org/wiki/Cuisine\\_marocaine](http://fr.wikipedia.org/wiki/Cuisine_marocaine) ».

Dernière modification de cette page le 6 mars 2011 à 20:09.

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**Exhibit 29**



# INTER-GLOBAL TRANSLATION SERVICES

574 Church Avenue  
Woodmere, NY 11598  
Tel: (516) 295-0913

## CERTIFICATE OF ACCURACY

This is to certify that the attached document was reviewed by a translator affiliated with Inter-Global Translation Services and that he is thoroughly familiar with the Hebrew and English languages and that he compared the attached documents relating to a wikipedia entry about arak from the Hebrew language into the English language and that the English text is a true and correct translation to the best of his knowledge and belief.

Translator

State of New York)  
County of Nassau )

Subscribed to before me on this

1<sup>st</sup> day September 2011

Notary Public

**SUSAN KLEIN NOTARY PUBLIC**  
**STATE OF NEW YORK**  
**REGISTRATION No.01KL4760427**  
**COMMISSION EXPIRES MARCH 30 2014**

## ARAK

From Wikipedia, the free encyclopedia

Photo of a bottle of Arak

Arak (Written in Arabic, is sometimes also written as arak, in a way that does not express the spelling in Arabic) is an alcoholic beverage that comes from the anise family of drinks which is produced mainly in Jordan, Lebanon, Egypt and Israel. It was first produced in Arabic and Middle Eastern countries such as Israel, Lebanon, Syria, Morocco and Turkey. The name Arak originates from Arabic and means sweat (since during the purification process, it evaporates and drips).

Arak is produced by a process of fermentation and distillation of grapes or dates and by drizzling the liquid produced in this process on anise seeds or dried anise leaves, which give this drink its unique taste. The drink is transparent like water (with no color) and has an alcoholic content of 40%-80%. Its alcoholic content has to be high because the origins of the flavors in this drink come from the essential oils of anise that are melted when making the alcohol. Just as with vodka and other alcoholic beverages, excessive use can lead to alcoholism and medical complications.

It is customary to drink arak with ice or chilled water. When mixing it with water, its alcohol content is reduced as does the ability to dissolve the essential oils. Decreased ability of dissolution, takes out the oils from the solution and they appear in a suspension of tiny droplets of essential oils inside the drink, and in this state, the arak gets a "milky" appearance.

Arak is similar to the Turkish drink raki and the Greek drink ouzo. It can also be served with almond extract (rosetta) and with mint or lemon. Sometimes a blackcurrant or vanilla stick is added to the bottle. In Greece it is common to prepare an arak drink with gum {produced from psitachio sap}. For the Jews of Morocco, arak is commonly known as mahia. Another arak type drink is the 'boukha' which is produced from figs and is produced mainly by Northern African Jews.. The Bukhobza families were producers of boukha in Algeria or Tunisia.

Arak which originates in Zachla region, which is in Lebanon is distinguished from other arak by its name Zachlawi arak. It is considered more expensive. In Israel, the leading producers of Arak is Elite HaArak which is produced by Yekev Hagalil under ownership of the Gold family since 1824. During the establishment of Israel, following the period of austerity (tsena) and due to the inexpensive price of arak it became very popular, among the immigrants, especially among Yememites.

In recent years, as alcohol prices have increased in Israel, arak has become popular and is known as a strong, high quality, inexpensive drink.

# ערק

מתוך ויקיפדיה, האנציקלופדיה החופשית

**ערק** (ערבית: **عرق**, נכתב לעתים גם **ארק**, באופן שאינו מבטא את הכתיב בערבית) הוא משקה אלכוהולי המיוצר בעיקר בירדן לבנון מצרים וישראל הופק לראשונה בארצות ערביות ויס תיכוניות כמו: ישראל, לבנון, סוריה, מרוקו וטורקיה. מקור השם ערק בערבית ומשמעותו היא "זיעה" (בשל תהליך הזיקוק באידוי וטפטוף).

את הערק מייצרים על ידי התססה וזיקוק של ענבים או תמרים וטפטוף הנזול הנוצר בתהליך זה על זרעי או עלי האניס המיובשים, שמקנים לו את טעמו הייחודי. המשקה שקוף כמים (חסר צבע) ובעל תכולת אלכוהול של 40% - 80%. תכולת האלכוהול חייבת להיות גבוהה משום שמקור טעמו של המשקה הוא בשמנים האתריים של האניס, ואלו מומסים באלכוהול. כמו וודקה ומשקאות אלכוהוליים אחרים, צריכה מרובה שלו עלולה להוביל לאלכוהוליזם ולנזק בריאותי.

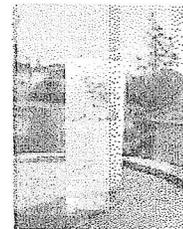


בקבוק ערק

את הערק מקובל לשתות עם קרח או מים קרים. בערבוב המשקה עם מים, יורד ריכוז האלכוהול ועימו יכולת המסת השמנים האתריים. ירידה ביכולת ההמסה, מוציאה את השמנים מן התמיסה והם מופיעים כתרחיף של טיפות שמנים אתריים זעירות בתוך המשקה ובמצב זה מקבל הערק מראה "חלבי". הערק דומה למשקה הטורקי ראקי ולמשקה היווני אוזו. ניתן גם להגיש עם תמצית שקדים (רוזטה) או עם נענע או לימון. לפעמים מוסיפים מקל קאסיס או וניל לבקבוק. ביוון נהוג להכין משקה ערק בתוספת מסטיקא. בפי יהודי מרוקו נקרא הערק **מחיית**. משקה נוסף בסגנון הערק הוא ה"ביכה" המופק מתאנים ומיוצר בעיקר בקרב יהודי צפון אפריקה. משפחות ברקובזה היו יצרניות של בוכה באלג'יר או תוניס.

ערק שמקורו באזור זחלה שבלבנון מובדל מערק אחר בכינוי ערק זחלאווי. ונחשב כיוקרתי יותר. בישראל מותג הערק המוביל הוא עלית הארק המיוצר על ידי יקב הגליל בבעלות משפחת גולד משנת 1824. בקום המדינה בעקבות תקופת הצנע ובזכות מחירו הזול של הערק הוא נהפך לפופולרי בקרב שכבות העולים במיוחד בקרב התימנים. בשנים האחרונות עקב התייקרות מחירי האלכוהול בישראל, הערק הפך פופולרי ונדע כמשקה חזק איכותי וזול.

## תמונות נוספות



**Exhibit 30**

Int. Cl.: 33

Prior U.S. Cls.: 47 and 49

Reg. No. 3,234,012

United States Patent and Trademark Office

Registered Apr. 24, 2007

TRADEMARK  
PRINCIPAL REGISTER

**MAHIA LE FIG**

ATLANTIC BOTTLING, LLC (NEW JERSEY LTD  
LIAB CO)

831 NORWOOD AVE.

LONG BRANCH, NJ 07740

FOR: ALCOHOLIC BEVERAGES, NAMELY, DIS-  
TILLED LIQUOR AND LIQUEURS, IN CLASS 33  
(U.S. CLS. 47 AND 49).

FIRST USE 7-15-2006; IN COMMERCE 7-15-2006.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

THE ENGLISH TRANSLATION OF THE MARK IS  
"WATER OF LIFE OF THE FIG".

SN 76-629,494, FILED 1-27-2005.

ALLISON HOLTZ, EXAMINING ATTORNEY

**Exhibit 31**

# UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 76/629494

APPLICANT: REGALEINU DISTILLERY CORP.

**\*76629494\***

**CORRESPONDENT ADDRESS:**

JOSEPH SUTTON  
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**RETURN ADDRESS:**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

MARK: MAHIA LE FIG

CORRESPONDENT'S REFERENCE/DOCKET NO :  
REGALEINU 10

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and email address.

Serial Number 76/629494

## EXAMINER'S AMENDMENT

**OFFICE RECORDS SEARCH:** The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

**ADVISORY – AMENDMENTS TO GOODS/SERVICES:** If the identification of goods and/or services has been amended below, any future amendments must be in accordance with 37 C.F.R. §2.71(a) and TMEP §1402.07(e).

**AMENDMENT(S) AUTHORIZED:** As authorized by Joseph Sutton on September 22, 2005, the application is amended as noted below. *If applicant disagrees with or objects to any of the amendments below, please notify the undersigned trademark examining attorney immediately.* Otherwise, no response is necessary. TMEP §707.

**Translation:**

The following translation statement is added to the record:

The English translation of the mark is “water of life of the fig.”

37 C.F.R. §2.61(b); TMEP §809.

/allison holtz/  
Allison Holtz  
Examining Attorney, Law Office 111  
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