The Reinheitsgebot: Between German Consumer Culture and the European Market

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The Taproom

The Taproom is a monthly series that explores the rich history of all things beer. It is curated by **Pavla Å imková**.

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On 15 July, 1987, West German federal president Richard von Weizsäcker received a letter from one Andreas Z., which began: “Much has been written about the *Reinheitsgebot* lately.” Indeed, recent press coverage of the sixteenth-century Beer Purity Law had focused on European Court of Justice (ECJ) Case 178/84, or *Commission v. Germany,* which lifted the *Reinheitsgebot* as an informal trade barrier to the free movement of goods in the European Community. Much had also been written, Andreas went on, regarding a number of recent food scandals, chemical additive concerns, and cases of food poisoning tied to tainted beer in the United States and Canada. Clearly, the author claimed, Germans needed to be watching out for their health as consumers, and the age-old *Reinheitsgebot* made that all the easier. Of Weizsäcker, Andreas demanded to know: “What do you actually have to say to the fact that foreign beer, not brewed in accordance with the *Reinheitsgebot* and produced with the addition of chemical additives, will be imported into Germany?” In the broader context of public health, the foreign beer represented a threat: “Would it not be better if the people in the countries that do not observe the *Reinheitsgebot* drank their own beer and were not allowed to send it to us?” He signed off quoting the law: “Hopfen und Malz, Gott erhalt’s.”

In the summer of 1987, Andreas Z. was eleven years old, a fifth grade student at the Willibald-Gluck-Gymnasium in the Upper Palatinate region of Bavaria. His letter is written on stationary whimsically decorated with cartoon kittens and today lives sandwiched between official government documents in the West German Federal Archive. When Dr.

Pieper in the office of President Weizsäcker wrote back a week later, he dodged these demanding questions, explaining that, according to the ECJ, West Germany was now obligated to unconditionally open its market to members of the European Community. But he assured Andreas that, while EC member states could now send beer to West Germany that was not brewed in accordance with the *Reinheitsgebot,* "the consumer still has the choice which beers with which additives he chooses to drink." The market may have been flung open, in other words, but German consumers did not have to like it. Of course, he peppered in, an eleven-year-old should not be drinking anyway.

It's unlikely that young Andreas was a frequent beer drinker. He had probably never even had a beer. But it also seems unlikely that a rural fifth grade student spent his free time staying current on food poisoning, chemical additives, and the goings-on of the European Court of Justice. So how do we explain this exchange?

The simple answer is that Andreas' father was a brewery employee in the Upper Palatinate. The ECJ ruling led many in the brewing industry to fear that cheaper beers would flood the West German market, displace West German beer, and hollow out a vibrant industry and source of employment. Andreas himself admitted that because of his father, the subject was "very much discussed in our home."

The more complicated answer is that beer in general and the *Reinheitsgebot* in particular had become a national icon in West Germany explicitly in the context of Western European market integration, and that challenging the juridical authority of the law read as a challenge to West German sovereignty, cultural practice, and perhaps even identity. To be sure, the *Reinheitsgebot* probably should have been overturned decades earlier.

Codified as it was in the 1952 *Biersteuergesetz* (Beer Tax Law), it regulated not only what beers could be produced in West Germany, but also what beers could be sold there. In 1957, the Federal Republic signed the Treaty of Rome to create an integrated market that did away with precisely such trade barriers. This process turned to foodstuffs in 1969, and in 1970 the European Commission proposed a beer harmonization law that would have overturned the *Reinheitsgebot* and opened the West German market to EC members. In response, brewers, agricultural and public health politicians, conservative economists, and hundreds of thousands of consumers found in the *Reinheitsgebot* a common symbol behind which they could rally against market integration.

Domestic magazines in Bavaria, the home of the Purity Law, blasted the harmonization proposal as opening the market to “chemical beer,” and they demanded consumer mobilization. A special interest group for “pure beer” in Düsseldorf circulated ballots throughout the country, hundreds of thousands of which were sent to federal minister of health Käthe Strobel, an advocate of consumer protection. Small business organizations in associated trades like farming, malting, and restaurant management, predicted broad collapses in their industries resulting in financial loss and rampant unemployment. Finally, the West German brewing trade organization deployed a massive advertising campaign boasting that the *Reinheitsgebot* had been an essentially German principle and practice “since time immemorial.” Such a claim could hardly have been further from the truth.

The Agricultural Committee in the Bundesrat, or Federal Council, was the first and arguably most important body to review the proposal. Composed of Bundesrat representatives and representatives from special interest sectors including agriculture, brewing, and public health, they concluded that changes in brewing standards would upset cultivation patterns in West Germany and especially in its Bavarian breadbasket. This in turn would have nutritional and tax repercussions for farmers, malters, brewers, and drinkers. The provisions of the proposal, the Committee claimed, would mean a shift towards wheat production, which was already running at a surplus and would thus either spell wasted grains or increased taxes for subsidization. Bolstering this opposition, the Economics Committee, the second round of Bundesrat scrutiny, knew that the smaller decentralized brewing structure, especially in Bavaria, would be hit particularly hard in a race to the bottom with larger, more centralized industries in other EC countries. Public health concerns were only the final nail in the coffin of West German opposition but they were also the most visible, spearheaded by Minister Strobel (notably from Bavaria) and rhetoric of “chemical beer” that had its roots in Bavarian intransigence. The consuming housewife—that cornerstone of the West German “economic miracle”—clearly needed regulatory protection from the state. This was an argument that consumers and public health politicians alike were keen to act on.

Agricultural, economic, and public health politics drew out the EC proposal until it was withdrawn in 1975. The lasting legacies of the conflict were at least two-fold. First, in 1974 the **German Brewers’ Association** founded the **Deutsches Institut für Reines Bier** (German Institute for Pure Beer), to keep policy discourse about the Purity Law consistently open between the brewing industry and the German Parliament. Second, the *Reinheitsgebot* became a popular icon of German consumer culture. As Dr. Pieper had

written to young Andreas, EC member states could now send beer to West Germany that was not brewed in accordance with the *Reinheitsgebot,* but German consumers did not have to like it. And they didn't.

The *Reinheitsgebot* had become so embedded in the cultural fabric of West German consumer consciousness that even after it was overturned in 1987, it remained the norm of production and consumption. The German beer market remains a difficult market to crack, not because foreign beers are not allowed, but because they are unwelcome. According to *The Guardian*, a recent survey found that 85% of German beer drinkers believe the *Reinheitsgebot* should be honored, and many German brewers certainly seem to agree. Newer, smaller, craft brewing establishments tend to see the law as a good framework, but in effect a market protectionist and advertising ploy by industrial brewing. Which in many ways it is. Or was. What it *is* now is a deeply rooted cultural value. Anheuser Busch-InBev, which owns Beck's and is the single largest and most capital-heavy industrial brewing power in the world, currently has no public plans to expand their German market-share. It is simply too hostile a market to enter.