

CREATING INSTITUTIONS: A STUDY ON THE REGULATORY FRAMEWORK FOR BRAZILIAN ARTISANAL CACHAÇA PRODUCTION¹

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ABSTRACT

This study was developed through the theoretical lens of Institutional Work, which seeks to investigate how actors can create, maintain, or disrupt institutions. Focusing on the creation of institutions, its objective was to recover the historical aspects that fostered the development of legal standardization rules for Brazilian artisanal cachaça, emphasizing its particularities as well as its normative, regulatory, and sociocultural orientations. To achieve this objective, a qualitative and descriptive research approach was employed, using in-depth interviews and document analysis as methods for data collection. As the main findings and conclusions, it was possible to identify the mobilization of different actors toward a reordering of the field, highlighting an effort to create institutions and practices that promote a genuinely Brazilian identity for cachaça. Additionally, there is a noticeable attempt to address issues such as informality and to professionalize the production of the spirit through the development of specific rules and standards, based on mimetic processes. The study also revealed the political difficulty of differentiating between artisanal and industrial cachaça.

Keywords: institutional work; institutional creating; artisanal cachaça; standardization

CONSTRUINDO INSTITUIÇÕES: UM ESTUDO SOBRE O ARCABOUÇO REGULATÓRIO DA PRODUÇÃO ARTESANAL DE CACHAÇA

RESUMO

Este estudo seu desenvolveu sob a lente teórica do Trabalho Institucional, que visa investigar como atores podem construir, manter ou interromper instituições. Tendo enfoque na criação de instituições, o seu objetivo foi resgatar os aspectos históricos que fomentaram a construção de regras legais de padronização da cachaça de alambique, enfatizando as suas particularidades e orientações normativas, regulatórias e socioculturais. Para atingir este objetivo, foi

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desenvolvida uma pesquisa qualitativa e descritiva, recorrendo a entrevistas em profundidade e análise documental como métodos para coleta das informações. Como principais resultados e conclusões, foi possível identificar a mobilização de diferentes atores para uma reordenação do campo, destacando uma busca por criar instituições e práticas que fomentassem uma identidade genuinamente brasileira para a cachaça. É perceptível uma busca por enfrentar fatores como a informalidade e profissionalizar a produção do destilado, a partir da construção de regras e normas específicas, baseadas em mimetismo. Evidenciou-se também a dificuldade política de diferenciação entre a cachaça de alambique e a cachaça industrial.

Palavras-chave: trabalho institucional; criação institucional; cachaça de alambique; padronização.

1 INTRODUÇÃO

Administrative sciences play a significant part in shaping economic sectors, influencing analyses of production processes, quality control, and the commercialization of emblematic products like cachaça. Artisanal cachaça and the organizations that comprise its institutional field (associations, cooperatives, producers) represent social phenomena of management. Given their historical, cultural, and economic importance, these deserve analysis from various viewpoints, including contemporary institutionalist perspectives (Czajkowski; Santos, 2024).

Cachaça, a traditionally Brazilian alcoholic beverage, is distilled from fermented sugarcane juice. Its production dates back to the colonial period, originating in sugar mills during the 16th century, with techniques refined over time (Gerk *et al.*, 2022; Andrade *et al.*, 2018). The drink became popular among colonists and enslaved Africans, integrating into the culture and economy of the era, even serving as a form of currency. Despite legal prohibitions and restrictions throughout Colonial and Republican Brazil, production persisted, both industrially and in artisanal stills, with informality becoming a recurrent practice (Cascudo, 2015; Gerk *et al.*, 2022).

Over the last four decades, the cachaça market has undergone meaningful transformations, seeing advancements in its cultural, productive, and consumption aspects, as well as in legal and supervisory spheres. During this period, the creation of regulatory standards for the spirit's production stands out as particularly noteworthy (Gerk *et al.*, 2022; Stacanelli *et al.*, 2023). Regulatory progress includes the Geographical Indication of Cachaça (Decree n 4.062/2001), the regulation of production and trade (Decree-Law n 6.871/2009), and the Technical Regulation for Identity and Quality Standards (Ordinance MAPA 539/2022) (Gerk *et al.*, 2022; Brasil, 2023).

The emergence of these regulatory milestones constitutes various forms of institutional work in the pursuit of building, maintaining, or disrupting practices within an organizational

field (Lawrence; Suddaby, 2006). Institutional creation refers to changes in formal or informal rules, structures, and procedures that guide behaviors and interactions within a society or organization (Guenduez *et al.*, 2024). These shifts can occur at multiple levels, from legal alterations to cultural and organizational transformations, as observed in the standardization of cachaça (Lawrence; Suddaby, 2006).

In this vein, through the lens of Institutional Work, specifically under the pillar of institutional creation, this article aims to revisit the historical aspects that fostered the establishment of legal rules for standardizing artisanal cachaça. It emphasizes its unique characteristics and its normative, regulatory, and sociocultural orientations.

The study is warranted by the need to grasp the origin and evolution of this institutional creation, identifying the events that contributed to its formation, especially within the context of informality and clandestine operations in the beverage field (Morais *et al.*, 2020). Added to this is the interest in understanding the impacts of these institutional changes, which can lead to the restructuring or replacement of outdated practices—a highly relevant phenomenon in the organizational field of cachaça (Lawrence; Suddaby, 2006; Guenduez *et al.*, 2024). The study is structured into five sections: introduction, theoretical framework on institutional creation, methodological approach, presentation and discussion of results, and final considerations.

2 THEORETICAL BACKGROUNDS: CONCEPTUALIZING INSTITUTIONAL WORK

The concept of **institutional work**, developed by Lawrence and Suddaby (2006), refers to the intentional practices undertaken by actors or organizations to **create, maintain, or disrupt institutions**. In **institutional creation**, actors engage in political, technical, and cultural actions. These include advocating for norms, establishing coercive guarantees, promoting institutional mimicry, and constructing new identities (Suddaby *et al.*, 2022; Lawrence; Leca; Zilber, 2013; Kasale; Morrow; Winand, 2020).

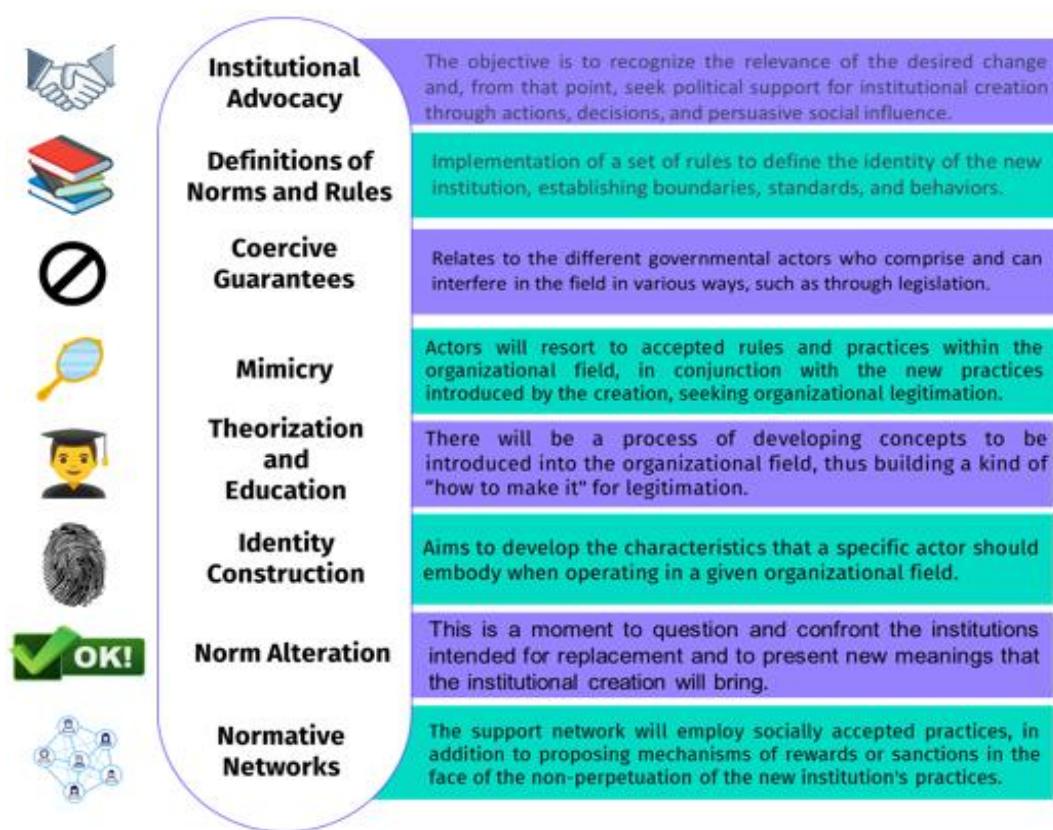
Institutional maintenance, on the other hand, involves practices that ensure institutions are reproduced. This can mean policing, valuing, and routinizing practices, thereby securing their continuity through regulatory mechanisms and the existing status quo (Lawrence *et al.*, 2015; Beunen; Patterson, 2019).

Institutional disruption occurs when actors seek to dismantle existing arrangements that no longer serve their interests, while those who benefit from these arrangements tend to preserve them (Kasale; Morrow; Winand, 2020; Suddaby *et al.*, 2022). These processes don't

happen in isolation. The creation of a new institution, for instance, might involve both the disruption of pre-existing ones and the implementation of practices for its own maintenance, highlighting the strong interconnectedness among the pillars of institutional work.

Institutional creation specifically involves introducing new rules into an organizational field. These rules must be legitimized through institutional work of a political, technical, and cultural nature. Such work includes demonstrating the benefits of the new institution and an educational process to disseminate the advantages of the change (Lawrence; Suddaby, 2006; Zietsma; Mcknight, 2009; Gidley; Palmer, 2022). FIG. 1, below, presents a synthesis of the different types of institutional creation work:

Figure 1 - Categories of Institutional Creation Work



Source: The authors (2025).

For example, political work involves advocating for institutional creation and defining the norms and rules that establish the new institution's identity, its boundaries, and behavioral standards, with regulation and legislation being fundamental to this process (Lawrence; Leca; Zilber, 2013; Razmdoost; Alinaghian, 2023).

Technical work includes seeking coercive guarantees, with the action of governmental actors and the creation of legislation that supports the change. Furthermore, mimicry is resorted to in order to facilitate the adoption of new rules, while theorization and education structure concepts that guide the legitimation and replication of institutional practices (Lawrence; Leca;

Zilber, 2013; Razmdoost; Alinaghian, 2023). Cultural work, in turn, focuses on identity construction, the alteration of normative associations, and the formation of support networks, ensuring the consolidation of the new institution within the organizational field (Suddaby *et al.*, 2022).

Within the organizational field of artisanal cachaça, various actors coexist, such as formal and informal producers, associations, cooperatives, and governmental entities, forming a complex environment where formal and informal practices interact (Calbino; Brito; Brito, 2022; Stacanelli *et al.*, 2023). The creation of institutions in this context can be motivated by legal changes, certification needs, the promotion of market fairness, economic growth, efficiency improvement, or a response to emerging social demands.

Moreover, technological advancements and cultural shifts may necessitate new norms and behaviors to regulate practices within the sector. Institutional creation, therefore, can be driven by the pursuit of greater transparency, equity, and accountability, ensuring that organizational practices remain effective and relevant to meet the interests of the field's actors.

3 METHODOLOGICAL APPROACHES

This study adopts an **onto-epistemological approach rooted in social constructionism**, which understands reality as a social construct, shaped by human interactions, language, behaviors, cultural relations, symbolisms, and identities (Berger; Luckmann, 2007; Machado *et al.*, 2021). The research is **qualitative and interpretive in nature**, seeking to comprehend social phenomena through historical aspects, interactions, and behavioral patterns that influence institutional changes. The focus lies on the construction of institutions that standardize and certify artisanal cachaça.

It is important to emphasize that, for its execution, the research project — including the methods adopted in this study — was previously submitted to and approved by the Ethics Committee of the researchers' educational institution, prior to the commencement of data and information collection. The research was divided into two main phases: **documentary research** and **in-depth interviews**. Documentary research is essential for understanding the historicity of institutions, identifying factors that propelled the creation of norms and certifications for cachaça. Documents such as regulations, circulars, informational materials, and historical works (Cascudo, 2015; Barbosa, 2014; Gerk *et al.*, 2022) were analyzed, available on platforms such as ANPAQ, APACS, IBRAC, IMA, MAPA, and INMETRO. This documentary investigation allows for understanding the role of actors and assessing institutional changes (Decker; Hassard; Rowlinson, 2021; Hodge; Costa, 2021).

In the second phase, **in-depth interviews** were conducted with 35 actors from the cachaça field, including members of IMA, MAPA, INMETRO, SEAPA, ANPAQ, and APACS. The interviews, carried out in person or via GoogleMeet®, were recorded and transcribed, allowing for the acquisition of detailed and contextualized information about events and processes not accessible through formal documents (Stewart; Cash Jr., 2015). For this article, 10 interviews were selected. The criterion for selecting these interviews is related to the actors' proximity, knowledge, and contribution to the process of constructing the rules developed for the artisanal cachaça field.

Table 1 - List of Interviewees

Interviewee	Category	Duration	Format
Interviewee 7	Consultant/Researcher	72:27 min	In-person
Interviewee 8	State Agent	25:00 min	Online
Interviewee 10	State Agent	58:59 min	Online
Interviewee 11	Association Member	-	Written
Interviewee 12	Association Member	65:02 min	In-person
Interviewee 13	Association Member	62:02 min	Online
Interviewee 16	Association Member	52:06 min	In-person
Interviewee 19	Association Member	63:08 min	In-person
Interviewee 22	State Agent	63:59 min	Online
Interviewee 35	Association Member	57:00 min	Online

Source: The Authors (2025).

The collected data were categorized and analyzed using **NVivo® software**, employing **Thematic Content Analysis** (Braun; Clark, 2006). The analysis followed three stages: **(1) Understanding the historical background of cachaça**, which was essential for comprehending the context of institutional changes. **(2) Identifying institutional work related to the creation of norms and rules**, from the founding of AMPAQ to the current MAPA Ordinance, highlighting the construction of an identity for the spirit and the differentiation between industrial and artisanal cachaça. **(3) Constructing a timeline regarding cachaça standardization**, addressing criteria, requirements, internationalization efforts, and challenges faced. The development of these results is presented next.

4 RESULTS AND DISCUSSIONS

4.1 Changes over Cachaça Field: Institutional Advocacy and Normative Support Networks for Institutional Creation (1988 – 1994)

Cachaça production in Brazil dates back to the 16th century, originating as a byproduct of sugar manufacturing in colonial mills (Gerk *et al.*, 2022). The beverage, initially produced in a rudimentary manner, gained popularity among colonists and enslaved people, becoming integrated into the culture and economy, even serving as a medium of exchange. During the colonial period, the Portuguese Crown imposed restrictions on its production, while in republican Brazil, cachaça was marginalized, with little regulation until the 1970s (Gerk *et al.*, 2022). Decree 73.267/1973 marked the first significant change, establishing norms for its production and legal recognition, as highlighted in the excerpt below:

From the 1970s onwards, **regulatory zeal** took hold of the executive branch, demonstrating the State's excessive regulatory power over regulated entities. Around 1973, by Decree No. 73.267, of December 6, 1973, 'sugarcane spirit' was synonymous with 'cane liquor,' and 'molasses spirit' was synonymous with CACHAÇA (Gerk *et al.*, 2022).

Decree 73.267/1973 equated sugarcane spirit to "caninha," while molasses spirit was classified as cachaça. Ordinance No. 371/1974 complemented the **Identity and Quality Standard (IQS)**, defining in Art. 106 that molasses cachaça should have an alcoholic strength between 38° and 54°, obtained from the distillation of fermented molasses must, with a limit of 0.6g/100mL of residues. This regulation, in force for over 20 years, hindered the differentiation of cachaça in the market, as the beverage was indiscriminately associated with sugarcane spirit, cane liquor, rum, and molasses, without distinction between industrial and artisanal (**pot still**) production.

The first movements for changes in cachaça regulation emerged in state of Minas Gerais during the 1980s, focusing on artisanal production in pot stills. A group of rural producers, in partnership with state bodies, sought to reorganize the sector — traditionally strong in the state, but facing challenges such as competition from industrial production, informality, and a lack of differentiation from other spirits. This process was decisive for the sector's structuring, with both producers and governmental representatives recognizing the need to reorder the artisanal cachaça production chain. The Minas Gerais' state initiative marked the beginning of a broader movement for the valorization and regulation of this typical Brazilian beverage, as highlighted in the following account:

[...] I produced using a pot still legally, since 1984 [...] around that time, I was approached by an official from some Minas Gerais government entity, from the secretariat of agriculture. According to him, the Minas Gerais Government was developing efforts to address informality, bring pot stills into the formal sector, as a means of quality control, development of incentive policies, development of research centers in state and federal universities to provide

producers with cutting-edge technology for cachaça production, cost control, sustainability and, of course, with all this, increase the State's revenue (Interview Excerpt – E11).

This initial articulation led to a meeting of approximately 30 actors from the Minas Gerais artisanal cachaça sector, both individuals and legal entities, who, in 1988, founded Brazil's first association of artisanal cachaça producers, **AMPAQ (Minas Gerais Association of Quality Aguardente and Cachaça Producers)**. Notably, in the formal documents of this association, the primary interest was to work towards the valorization of the beverage, support producers, institutionally strengthen the beverage's standing with the State, and seek to address the historical problems present in the sector, as highlighted in the excerpt below:

This association's primary purpose was an attempt to bring small cachaça producers [out of informality], I even prefer to call them informal rather than clandestine... and I'll tell you why... uh... clandestine is the absolute majority! Of clandestine ones! (Interview Excerpt – E19).

The accounts highlight actors' concern with the need to reorganize the cachaça field, given the inadequacy of prevailing institutional practices. According to Lawrence, Suddaby, and Leca (2013), institutional work emerges when existing rule systems exhibit flaws and can be improved. In this context, an articulation between Producers and the State is observed in pursuit of changes, with emphasis on issues such as informality, production and quality control, and the regulation of the spirit market.

This movement reveals an action aimed at the construction, implementation, and defense of transformations within the field, evidencing aspects of "institutional advocacy," understood as a proactive practice of influencing and transforming the institutional environment. For this, a deep consideration of the social, political, and economic context involved is necessary. It is also worth noting that these actors are active participants in the field, understanding its dynamics and power relations (Lawrence; Suddaby, Leca, 2011; Vieira, 2021).

The organization of the association represents an initial formal step in introducing new institutional practices into the organizational field. The articulation between the producers and the State resulted, at this first moment, in the creation of **Pro-Cachaça (Minas Gerais Program for the Incentive of Aguardente Production – Law No. 10.853, of August 4, 1992)**, which structured an initiative for the valorization of artisanal cachaça. However, this program lost effectiveness in the face of subsequent federal legislation.

Among Pro-Cachaça's contributions, noteworthy were the tax incentives aimed at the beverage's production, historically burdened by high taxation, in addition to the formation of partnerships and the offer of technical support by institutions such as EPAMIG and EMATER, aiming at the training of producers and the professionalization of the sector, with a focus on combating informality. With **Decree No. 34.645, of April 14, 1993**, a Steering Committee was also instituted, composed of representatives from the State and AMPAQ, to discuss the implementation of these policies, as emphasized by Interviewee 19 (E19):

[...] Look, ANPAQ has been fighting since its inception, and we are now 30 years old as ANPAQ and... always striving for full legalization and participating in the formulation of these laws whenever permitted. For example, when Itamar Franco was still Governor of Minas, Pro-Cachaça was created. It instituted the Minas Gerais artisanal cachaça law, and from then on, we have been participating in all these legislations (Interview Excerpt – E19).

Efforts are observed toward the development of different institutional works aimed at transforming the cachaça field. Notable is the pursuit of partnerships and the creation of normative networks with the aim of disseminating new practices concerning the beverage, in addition to the formal establishment of a Steering Committee with diverse representatives from the organizational field. This network of actors plays a relevant role in institutional theorization and education, through institutions such as EPAMIG and EMATER, focusing on the professionalization of the sector (Beunen; Patterson, 2019; Horak; Suseno, 2022).

In this context, aspects of cultural valorization come to the fore, especially the artisanal and pot-still character of cachaça, in addition to the creation of new specific regulations for the Minas Gerais beverage. Quality and standardization criteria are also discussed, with the objective of consolidating practices that will become institutionalized, confronting traditions that perpetuate informality (Zietsma; Mcknight, 2009; Moraes *et al.*, 2020). The program ultimately inspired similar public policies in other states and contributed to the valorization of Minas Gerais artisanal cachaça as a recognized and appreciated product. With this, a significant change began in the field, marked by the formulation and updating of regulations, especially at the federal level, gaining more prominence from 1997 onwards.

4.2 Basic Regulations: The Quest for Coercive Guarantees, Initial Norms, and the Construction of Cachaça's Sociocultural Identity (1994 to 2004)

In this second phase, the development of broader and more formal rules for the institutionalization of cachaça occurred, in response to the organization initiated in Minas

Gerais. Three main axes stand out in the construction of new practices: (1) the quest for state coercive guarantees, with the definition of governmental actors responsible for production oversight; (2) the creation of norms and rules to standardize the beverage and modify prevailing practices; and (3) the identity construction of cachaça, differentiating it from other spirits.

Law No. 8.918, of July 14, 1994, played a central role in establishing rules for the registration, standardization, classification, inspection, and oversight of beverage production and trade in Brazil, including cachaça. From then on, the Ministry of Agriculture, Livestock and Food Supply (MAPA), or accredited state bodies (as per the 2003 update), began to regulate and oversee the beverage. This definition strengthened the fight against informality, ensuring that governmental actors exerted influence over regulation and ensured compliance with norms (Lawrence; Suddaby, 2006; Gidley, 2021).

MAPA received autonomy to propose changes with state backing, applying sanctions for compliance with the sector's new rules. Although still embryonic, this process would consolidate in the future with the decentralization of oversight to state and municipal bodies. The legislation was essential in defining those responsible for the development and oversight of norms impacting cachaça production and commercialization.

In addition to the establishment of coercive guarantees, the regulation of the law by Decree 2.314, of September 4, 1997, propelled two other institutional works: the standardization of the beverage and the construction of its identity. The former promotes the evolution of production norms, while the latter seeks to consolidate cachaça's identity as a specific spirit, with its own standards for legitimation and market recognition (Lawrence; Suddaby, 2006; Wei; Kang, 2022).

Previously, molasses spirit and cachaça were considered synonyms. However, the aforementioned decree, in Section II, instituted the distinctive characteristics of "aguardente" (spirit), establishing a clear separation from molasses as a raw material for cachaça production. This regulation promoted the standardization of cachaça, as it removed molasses as a raw material option for its production. As a result, cachaça became recognized as a beverage distinct from molasses spirit. Still, the association of sugarcane spirit and cane liquor as synonyms for cachaça persisted.

Art. 91. Sugarcane spirit, caninha, or cachaça is the beverage with an alcoholic strength of thirty-eight to fifty-four percent by volume, at twenty degrees Celsius, obtained from the simple alcoholic distillate of sugarcane, or alternatively, by the distillation of fermented sugarcane must, and may have sugars added up to six grams per liter.

§ 1º The beverage containing sugars in an amount greater than six and less than thirty grams per liter shall be denominated sweetened sugarcane spirit, sweetened caninha, or sweetened cachaça (Decree 2314 of September 4, 1997).

The equating of sugarcane spirit, 'caninha,' and cachaça, while not establishing ideal distinctions, represented a significant advance for the sector, inspiring initiatives such as the Brazilian Program for the Development of Aguardente de Cana, Caninha, or Cachaça (PBDAC). Launched in partnership between producers and APEX-Brasil, the program aimed to strengthen cachaça's identity as a genuinely Brazilian product, differentiating it from other spirits. To achieve this, technical training, production enhancement, and discussions among producers, researchers, and governmental representatives were promoted, contributing to the consolidation of cachaça as a national heritage.

The main achievement of this institutional effort was the recognition of cachaça as an exclusive geographical indication of Brazil by Decree No. 4.062, of December 21, 2001. This decree protects the use of the expressions "cachaça," "Brazil," and "cachaça do Brasil," allowing their application only to products manufactured in national territory according to specific standards. In addition to ensuring the beverage's authenticity in the domestic market, the measure strengthened its identity in international trade, preventing the undue use of the terms by foreign producers.

[...] and it comes from that PBDAC, our role is to support them (the producers), so much so that with this union of producers, we achieved the geographical indication and the recognition of cachaça, which was a dream. We worked for over 8 years to achieve this geographical indication, so our role is to try to bring the producers' product to everyone in Brazil and also abroad (Interview Excerpt – E35).

The excerpt above demonstrates the importance that the distinction of the name reflected for both producers and the product. The pursuit of differentiation between cachaça and other spirits is fundamental, given the beverage's cultural and historical emblem, which can be better leveraged under this formal distinction. By establishing specific treatment, as well as the quest for official reinforcement of what cachaça is, it also ensures the beverage's authenticity, in addition to facilitating its recognition, as a manifestation of a recognized and perpetuated "identity."

Furthermore, establishing specific standards for cachaça, such as the worked denomination itself, becomes a path for the development and perpetuation of rules that ensure the quality and authenticity of the spirit. Regarding product recognition, there is a perception that Decree No. 4.062, of December 21, 2001, also marked the beginning of a more strengthened valorization and international insertion for the beverage, which until then was exported as a Brazilian "rum" (Gerk *et al.*, 2022). Added to this is Decree No. 4.072, of January 3, 2002, which is responsible for differentiating and separating all denominations of *aguardente*

(spirit), presenting as an innovation the specific definition of what cachaça would come to be, as established in the excerpt from the decree, below:

Art. 1. Articles 81, 91, and 93 of the Regulation approved by Decree No. 2,314, of September 4, 1997, shall now be in force with the following wording: "Art. 81. § 1. Cachaça is the typical and exclusive denomination of sugarcane spirit produced in Brazil, with an alcoholic strength of thirty-eight to forty-eight percent by volume, at twenty degrees Celsius, and with peculiar sensory characteristics." (Decree No. 4.072, of January 3, 2002).

However, in the following year, by **Decree No. 4.851, of October 2, 2003**, which regulated the standardization, classification, registration, inspection, production, and oversight of beverages, there was a significant change regarding the exclusive raw material that should comprise the beverage's production. From this moment onwards, the term "cachaça" was not only reinforced as the typical and exclusive denomination of sugarcane spirit produced in Brazil, with an alcoholic strength of thirty-eight to forty-eight percent by volume, at twenty degrees Celsius, obtained by the distillation of fermented sugarcane must with peculiar sensory characteristics, but could also have sugars added up to six grams per liter, expressed as sucrose.

This raw material restriction was essential to ensure the development of an exclusive production standard for the beverage, reinforcing normative aspects to be followed thereafter. Subsequently, this established standard for the beverage was maintained through an update by **Decree No. 6.871, of June 4, 2009**, which then regulated **Law No. 8.918, of July 14, 1994**, and this has been maintained to the present date, with few changes, especially for the cachaça field.

The establishment of rules, as well as the joint action for identity construction, is of paramount importance for institutional work in the process of institutional creation, as it is from these that actors' behavior in the field is established, and, crucially, a standard format is set to replace or confront practices that no longer serve the interests of actors in a given organizational field. This facilitates the implementation of control systems to monitor the behavior of different actors in the organizational field. It is important to consider that norms and rules are not neutral but rather reflect the interests of dominant groups within an organizational field, who intentionally defend their interests (Lawrence; Buchanan, 2017).

It should be emphasized that during this period, the legal advancements for the recognition of the beverage with its proper identity specificities did not present clear differentiations between artisanal cachaça and industrial cachaça. This differentiation would still take about 18 years to be recognized; however, the initial progress brought to the beverage

should not be disregarded, as it now, at least, possessed recognition and differentiation from other spirits (such as rum) and *aguardentes* (spirits) from different raw materials.

With the norms and the beverage's identity established as initial undertakings of change, other actions for the maturation of production and market control also began to be carried out, with new institutional works being developed, bringing new regulations for the cachaça field. In conclusion to this temporal period between 1997 and 2004, the creation of the Cachaça Sectoral Chamber in 2004 stands out, involving different representatives from the sector who work towards its development.

Examples of members present in the Cachaça Sectoral Chamber include: representatives from MAPA, representatives from producer associations, representatives from industrial producers, and educational, research, and metrology institutions. The sectoral chamber strengthens a support network for institutional creations and the development of rules, in view of the need to reinforce rules for changes in organizational fields. It is worth reinforcing once again the inspiration from the Pro-Cachaça program in Minas Gerais, as an initial political movement which, from its early discussions, served as an example and had an impact on the field for the advancement and development of the cachaça field.

4.3 Cachaça's IQS: Norm Alteration, Mimicry, and Distinction Between Pot Still Cachaça and Column Cachaça (2005 to 2023)

Following a series of new rules, norms, and laws that, generally speaking, operated from the perspective of the beverage's identity, especially concerning its naming and alcoholic strength, even if they still did not distinguish pot-still cachaça from industrial cachaça, new steps were taken. MAPA, as a public entity vested with the power to oversee and propose rules for the field, presented a new IQS for cachaça, through **Normative Instruction No. 13 of June 29, 2005 (NI 13/2005 MAPA)**, which dealt with technical regulations for establishing identity and quality standards for sugarcane spirit and for cachaça, initiating a new series of regulations and new institutional works that impacted the entire field. The importance of this NI, as well as other regulations developed by the ministry, can be identified in the excerpt below:

MAPA addresses the issue of identity and quality standards, right? So, every beverage to be produced in Brazil needs to meet a specific standard, doesn't it? This stems from concern for the consumer, who is not present during the product's manufacturing. Due to the potential presence of contaminants and other elements, it's important to strictly follow the established standards for both production and commercialization. That's why such standards are established (Interview Excerpt – E22).

NI 13/2005 MAPA reinforced the identity aspects of cachaça, such as the recognition of the beverage as genuinely Brazilian, as well as alcoholic strength aspects, in addition to establishing criteria and standards for: (1) **Aged Cachaça** (which contains, at minimum, 50% (fifty percent) of Cachaça or Sugarcane Spirit aged in an appropriate wooden receptacle, with a maximum capacity of 700 (seven hundred) liters, for a period no less than 1 (one) year); (2) **Premium Cachaça** (which contains 100% (one hundred percent) of Cachaça or Sugarcane Spirit aged in an appropriate wooden receptacle, with a maximum capacity of 700 (seven hundred) liters, for a period no less than 1 (one) year); and (3) **Extra Premium Cachaça** (aged for a period no less than 3 (three) years). At this point, there was an attempt to valorize beverages that underwent a more time-consuming production process, highlighting aspects such as the aging of the spirits, but still without progress in distinguishing between pot-still and industrial production.

In addition to these new specifications for beverage production, there was a process of strengthening chemical and hygienic control (coefficient of congeners, additives, and contaminants), alongside aspects of labeling, production, and storage. Among the labeling criteria, issues concerning age and aging stand out, which can only be highlighted for beverages aged for at least one year; permission to use a geographical indication registered with INPI (National Institute of Industrial Property) (such as GI Salinas or GI Paraty); and indication that it is a “special reserve” production, provided the beverage possessed differentiated sensory characteristics, verified by technical reports. A negative highlight in labeling standardization was the prohibition of the term “artisanal,” frequently linked to pot-still cachaça. The excerpt from Interviewee 19, a member of a representative association and producer, demonstrates a process that became one of the main disputes that would still progress for many years.

Our struggle in the Cachaça Production Chain Sectoral Chamber at the Ministry of Agriculture there in Brasília... it was not permitted to put 'artisanal cachaça' and 'artisanal pot-still cachaça' on the cachaça label! As a member of the council there, I started presenting various proposals, many justifications, all of this... I had a very big fight [...] And I told the industrial folks, look, I respect column-still industrial cachaça so much, I know the quality it has... if I belonged to that group, I would put cachaça, column-still cachaça, or industrial cachaça on my label. Because I know I have quality. That's why I'm fighting to put pot-still cachaça on our cachaça's label, because we know the quality we have (Interview Excerpt – E19).

In this scenario of rule-making, other actors also began to gain attention in the field, such as the Brazilian Institute of Cachaça (IBRAC), which comprises powerful actors with large industrial production, and began to operate strongly in the beverage sector, at a national level, with political engagement also in the pursuit of defending their interests. The excerpt above

highlights the complexity involved in the development of institutional rules, emphasizing that such rules do not necessarily ensure uniform benefit for all involved. Through the lens of institutional work focused on introducing new practices, Wei and Kang (2022) point out that changes in rules can impact competitive conditions in the organizational field, creating opportunities and challenges for organizations, and altering the balance of power among groups.

These alterations can strengthen or weaken specific groups, reflecting a redistribution of power. The importance of a careful approach to formulating and implementing new rules is highlighted, in order to consider not only the potential benefits but also the negative consequences and diverse impacts on the involved participants (Wei; Kang, 2022).

Beyond labeling criteria, chemical criteria also need to be highlighted. These, generally speaking, also impacted producers, especially those who used copper in the distillation process, such as artisanal cachaça producers. Among the physicochemical aspects, the following stand out: **Alcoholic strength:** Must be between 38% and 48% by volume at 20°C. **Alcohol by weight:** Must be less than 400 g/L. **Volatile acidity:** Must be less than 5 g of acetic acid per hectoliter at 20°C. **Total esters:** Must be less than 1500 mg of ethyl esters per hectoliter at 20°C. In addition to these, limitations for heavy metal contaminants are notable, such as **Lead (Pb):** The maximum permitted limit is 1.0 mg/kg; **Cadmium (Cd):** The maximum permitted limit is 0.1 mg/kg; **Arsenic (As):** The maximum permitted limit is 0.5 mg/kg. Emphasis is given to **Copper (Cu)**, which could not exceed 5 mg/L.

Copper plays a multifaceted and essential role in pot-still production and cachaça distillation. Acting as a catalyst for chemical reactions, it facilitates processes such as esterification, contributing to the formation of desirable aromatic compounds and enhancing the flavor, aroma, and smoothness of the final beverage. Furthermore, it acts in the removal of undesirable substances, reacting with sulfur compounds and others that can impart unpleasant flavors, resulting in a cleaner, higher-quality cachaça. Its thermal conductivity ensures efficient distillation, controlling the temperature in the still's boiler. Finally, the contact surface of copper with the distilling liquid allows for direct interaction, maximizing its chemical and thermal benefits, culminating in the production of high-quality cachaça (Daniel, 2016; Santanna, 2020).

Among the most frequently cited in interviews and documentary research is **ethyl carbamate**, considered a carcinogenic contaminant. For this reason, regulations such as MAPA's Normative Instruction 13/2005 established maximum limits for the presence of ethyl carbamate in alcoholic beverages, including cachaça. In cachaça, the maximum permitted limit for ethyl carbamate is 150 micrograms per liter ($\mu\text{g/L}$). This limit was established based on

human health risk assessments in international studies and seeks to ensure that exposure to ethyl carbamate through cachaça consumption is within levels considered safe (Santanna, 2020).

Santanna (2020) highlights in their study that ethyl carbamate is found in different distilled beverages, with the first legislations establishing limits for this contaminant originating from Canada, and national adaptation occurring with NI 13/2005. It is also notable that there are no limitations, for example, in the European Union regarding this contaminant. This Normative Instruction pointed towards a quest for improvements in the beverage's production process, and can be considered one of the most important rules and institutional creations that remained in force until early 2023, albeit with some corrections and alterations, especially concerning the percentage of ethyl carbamate.

Due to international inspirations for the development of this normative instruction, which regulated the basic production standards for cachaça, it is possible to understand that there was an institutional effort for the refinement of rules, with more rigid characteristics for the beverage's production that drew inspiration from others already socially accepted in the field, constituting a form of **institutional mimicry**. This process aims to facilitate the development of rules, considering that, by drawing inspiration from rules already socially accepted in the field, there is greater ease in gaining support for new institutions created in a given organizational field (Santanna, 2020).

Zietsma and McKnight (2009) point out that mimicry is one form of institutional creation work that actors resort to in order to adopt accepted norms in the pursuit of credibility and respect within a given organizational field. This type of institutional work can prevent criticism or disrespect for new rules, considering that following something already utilized in a field minimizes the risk of conflicts (Zietsma; Mcknight, 2009). This, however, due to its characteristics developed along international lines, brought significant impacts for both pot-still producers and initial producers, also becoming a target of disputes and criticism from actors in the field, as can be observed in the excerpt below:

[...] one of the discussions we had (pot-still producers, the Cachaça Sectoral Chamber, industrial producers, and MAPA) was around NI13 (Normative Instruction No. 13), which determined ethyl carbamate, determined secondary components, determined a series of things that cachaça has to follow. Within this tug-of-war, the industrial cachaça sector there at IBRAC, which is the body I'm telling you about that's located in Brasília, wanted to decrease the quantity of secondary components, it wanted to increase the percentage of ethyl carbamate, and so, together with ANPAQ, we fought for that [...] (Interview Excerpt – E16).

As a result of this dispute, following political work that integrated not only AMPAQ but also IBRAC, in 2014, **NI 13/2005** underwent an alteration through **Normative Instruction No.**

28, of August 8, 2014 (NI 28/2014 MAPA). Its primary contribution was the alteration of the ethyl carbamate limit, which was previously permitted up to 150 micrograms per liter and, from this point, became permitted up to 210 micrograms per liter for this contaminant.

Furthermore, it is possible to perceive political action aimed at changes that sought to benefit one type of production over another, in this case, industrial production. It is noteworthy, however, that **NI 13/2005** can be observed as one of the regulatory fronts that brought the most clashes and discussions for the change in artisanal cachaça, considering the time it remained in force, being revoked and replaced only in 2023.

Developing specific regulations and rule-sets for a given sector, especially in the absence of rules, is an institutional work that involves different actors and efforts—political, technical, and cultural. For **NI 13/2005**, it was no different; however, it must be highlighted that the legislation represents an advance for the cachaça field, even though it received criticism regarding the way it was developed, without considering local criteria for production, as well as some lacking distinctions, for example, between pot-still cachaça and industrial cachaça. At times, this regulation even represented, in the view of sector actors, a bureaucratic and costly process, which could even eliminate producers in the process of regularizing and adapting their productions, as observed in the excerpt below:

[...] the government and MAPA say today, 'look, today we're going to facilitate the legalization of a factory.' Of course, nobody wants to do things wrong, but facilitating it... so there are certain norms, certain things that we ourselves don't understand why it's so complicated, because you could simplify a lot of things there... and then, if the producer can legalize a factory in 60 days, they'll have more enthusiasm; but if it takes 2 years, they'll stop halfway... with absolute certainty! [...] in addition to the high production cost, high taxation, bureaucracy for regulation, getting the factory to operate... so these are the factors we've been working on to facilitate things (Interview Excerpt – E12).

It should be highlighted that the creation of new practices, such as those in **NI 13/2005**, significantly impact the perpetuation of the proposed new institutional order. By establishing production criteria, such as those for labeling, chemical, and hygienic aspects, a dialectical process also occurs that encourages conformity and separates undesirable behaviors within the field. From these criteria, it is possible to establish sanctions and penalties, but also recognition and benefits that incentivize compliance with rules and stimulate expected behaviors. From the perspective of ordering an organizational field, according to Lawrence and Suddaby (2006), resorting to the alteration of normative associations to establish new practices is necessary to confront and replace practices hitherto present in the field.

In this sense, these systems of incentives and deterrence create an environment where members of an organizational field are motivated to act in accordance with established expectations and standards, thereby strengthening organizational cohesion, efficiency, and effectiveness. By appropriately balancing sanctions and rewards, institutions can foster a culture of conformity, accountability, and performance, contributing to a stable institutional order (Gidley, 2020; Lawrence; Buchanan, 2017).

With this **IQS** established, as well as its alterations, especially through **NI 28/2014** with direct repercussions on the controversial ethyl carbamate, another political discussion gained more traction. If cachaça was previously practically forgotten, synonymous with different types of *aguardente* (spirit), it now figured as a beverage with specific basic rules and standards for its recognition, both nationally and internationally, developed jointly by industrial producers and pot-still producers. In this sense, another institutional work began to occur and gain more traction within existing legislation: the quest for a clear differentiation between pot-still cachaça and industrially produced cachaça.

There is a perception among field actors, especially pot-still producers, that this quest for differentiation was for a long time hindered by industrial producers. Furthermore, a loss of voice in discussions after the initial legislations and rules developed and strengthened at the national level is noteworthy. In this regard, AMPAQ once again began to gain prominence, aiming to strengthen new works that would bring more visibility to pot-still production, as can be seen in the excerpt below:

[...] this work by AMPAQ was, what, putting a brake on artisanal cachaça from disappearing, given the invasion of industrial cachaça at that moment, which was coming from São Paulo, and Minas cachaça was becoming very, uh... weakened. So it was a moment when our artisanal cachaça was practically dwindling. So I think, the first era of AMPAQ was like this: STOP! We're letting something very valuable die, and then it rescued and occupied the space it was losing (Interview Excerpt 7).

Faced with a perceived loss of ground for artisanal cachaça to industrial cachaça, and in pursuit of strengthening itself against new actors who began to gain more power, the **Minas Gerais Association of Quality Cachaça Producers** decided to take a step towards nationalization. The change of the letter 'M' from 'Mineira' in the acronym to the letter 'N' from 'National' brought a significant change and a new positioning for the association. Thus, the **National Association of Producers and Members of the Artisanal Cachaça Production and Value Chain (ANPAQ)** was born, a significant moment according to an association member, as seen in the excerpt below:

Now, the national **ANPAQ** was very important because when we were in Minas, 20 years ago, the movement was basically just in Minas itself, but today this artisanal cachaça movement isn't only in Minas, so ANPAQ couldn't stay only in Minas, you understand? And in the meantime, IBRAC emerged, which has an industrial arm, and it's located in Brasília. We started to realize that we were losing representation and, in a way, losing representation because we perceived greater attention being given to the industrial side, you understand? So we had the idea of transforming ANPAQ into a national entity to ensure we are fighting at a national level and to have more representation with the government, with the Ministry of Agriculture, because being only from Minas makes it more limited (Interview Excerpt – E16)

ANPAQ's repositioning at the national level was strategic to broaden its reach and influence in the cachaça field. If, at the state level, the association had already contributed to the creation of rules in a hitherto unorganized field, its national operation enabled greater participation in political debates, advocacy power, and representation vis-à-vis other actors. This enabled the continuity of institutional works that favored its objectives and interests, expanding its capacity for articulation and influence in relevant decisions for the sector.

However, occupying this new space also generated conflicts among field agents, as each group performs different institutional works with a view to their own interests (Lawrence; Suddaby, 2006; Lawrence; Leca; Zilber, 2013). From 2014 onwards, efforts to strengthen the image of pot-still cachaça intensified, even though **NI 13/2005** and its updates had promoted technical and normative advancements. However, the absence of a clear differentiation between the modes of production persisted. According to Santanna (2020), this reflects institutional work promoted by industrial producers, who avoided distinctions that could benefit artisanal cachaça. This group also sought to consolidate practices and rules that did not always favor the field as a whole, but directly served their interests. The following excerpt highlights this issue:

[...] we were in Brasília, as we are part of the sectoral chamber in Brasília, and... and IBRAC, I won't say they're our competitor, because that's not what I think of IBRAC. I think IBRAC takes a different path than ours; they defend the industrial producers more, and we defend the pot-still ones. So they were making a proposal that was going to be presented in the sectoral chamber of the Ministry of Agriculture to change **NI13**. **NI13** is the normative instruction that regulated cachaça... but what they were advocating for there was going to be extremely detrimental to artisanal cachaças [...] (Interview Excerpt – E12).

Beunen and Patterson (2019) highlight that processes of institutional change and creation in organizational fields involve varied efforts in formulating rules that favor certain interests, even if not all actors access these benefits equally (Lawrence; Buchanan, 2017). Competing actors may momentarily unite to legitimize new norms, although inconsistencies may arise during implementation (Furnari, 2016).

In the cachaça field, this is evidenced by the conflict between industrial producers, represented by IBRAC, and pot-still producers, represented by ANPAQ. The latter began to adopt a firm stance in defending the differentiation between the two modes of production, as expressed by Interviewee 13: “[...] no, here we make cachaça, it's all cachaça, IT'S NOT! I don't defend that position, okay, I defend the position that pot-still cachaça is one thing and column-still cachaça is another! So I can't join a group that considers everything equal, I can't join [...]”.

The defense of this distinction is supported by arguments related to the valorization of artisanal production, which uses traditional methods and selected ingredients, resulting in a product with unique characteristics. Furthermore, the differentiation would contribute to the recognition of small producers, cultural preservation, and the promotion of sustainable practices. The former **NI 13/2005**, though important, became outdated in the face of sector demands (Santanna, 2020). In this scenario, ANPAQ's nationalization strengthened its articulation with various actors — such as the Cachaça Sectoral Chamber, technicians, researchers, and consultants — in the construction of a new normative instruction. The process resulted in **Ordinance 539/2022**, published by MAPA, which came into force on February 1, 2023, and brought as its main advance the official distinction between pot-still cachaça and industrial cachaça, being considered one of the greatest achievements for the artisanal sector.

If, until then, there was no specific pot-still cachaça, new rules were developed and now encompass this type of production. Among the changes that come into effect, the recognition of pot-still production, which must be specifically carried out in copper stills, stands out. In addition, the following denominations are highlighted:

Quadro 2 - Current Denominations of Pot Still Cachaça

Denomination	Production Characteristics
Pot Still Cachaça	If produced solely from fermented raw sugarcane must in a copper pot still.
Stored Pot Still Cachaça	If produced exclusively from fermented raw sugarcane must in a copper pot still; and stored in barrels larger than 700 L, or kept for less than 1 year in barrels up to 700 L.
Aged Pot Still Cachaça	If produced only from fermented raw sugarcane must in a copper pot still and aged in barrels up to 700 liters for at least one year.
Sweetened Pot Still Cachaça	If produced exclusively from fermented raw sugarcane must in a copper pot still; and if it contains between 6 to 30 g/L of sugar.
Sweetened Stored Pot Still Cachaça	If produced exclusively from fermented raw sugarcane must in a copper pot still; stored in barrels larger than 700 L, or kept for less than 1 year in barrels up to 700 L; and contains between 6 to 30 g/L of sugar.
	If produced exclusively from fermented raw sugarcane must in a copper pot still; placed in barrels up to 700 L

Sweetened Aged Pot Still Cachaça	for at least 1 year; and contains between 6 to 30 g/L of sugar.
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Source: Ordinance 539/2022 (MAPA).

This recognition was very important for the sector, especially for artisanal producers, being highlighted as a positive development for smaller-scale producers, who typically conduct pot-still production, now officially recognized. In an editorial published in the circular “Cachaça com Notícias,” there is an observation, albeit veiled, about the time-consuming process, with emphasis on agents who opposed the idea and who were perceived to have united against it, referring to industrial producers. Furthermore, it was emphasized that “Many years were needed for a revision of the legislation to materialize. Once again, the norm changed to keep pace with so many transformations and to refine the details that for so many years had hurt producers” (Cachaça com Notícias 81, p. 3, 2022).

The rigor regarding the beverage's physicochemical aspects still follows principles close to those established by the revoked **NI 13/2005** and its updates, all superseded by the new ordinance. Additionally, a highlight from this ordinance is the possibility of using the expression “Pot Still Cachaça” on the label, as emphasized in the following excerpt:

This is **ANPAQ's** role: to market the collective product, with a strong and generic brand, so that all **Pot Still Cachaça** producers, with identity and a seal of belonging, can enable successful business for their specific brands. The focus is on identity, market work training, and the sustainable development of the sector, the association, and its members (Cachaça com Notícias 81, p. 2, 2022).

In conclusion, it should be noted that **NI 13/2005** brought new advancements and changes to the cachaça field as a whole. As these new rules for the cachaça field were developed and applied, other disputes began to emerge. Key aspects highlighted include the increased cost of the production process due to the new rules, refinement criteria for production inspired by international norms, and the lack of differentiation between industrial producers and pot-still or artisanal producers, including a nominal prohibition of this type of nomenclature within the **IQS**. This was eventually resolved after much contention, which, through the action of various actors, brought about the new **IQS**, under **Ordinance 539/2022 MAPA**, with the differentiation between pot-still and industrial cachaça.

Finally, all these regulations, despite bringing important contributions to cachaça as a whole, were and still are a field full of nuances and actors who work to modify or maintain the organizational field according to their interests. It should be emphasized, however, the importance of these for: the recognition of cachaça as a genuinely Brazilian product, specific

and with distinct characteristics and forms of production compared to other beverages, seeking to ensure a specific identity and control for the spirit.

5 FINAL CONSIDERATIONS

The objective of this article was to revisit the historical aspects that fostered the construction of legal rules for the standardization of pot-still cachaça, emphasizing its particularities and its normative, regulatory, and sociocultural orientations. Based on a qualitative and descriptive approach, grounded in interviews and documentary analysis, it was possible to identify how different actors mobilized efforts to build a more formalized and structured organizational field for the beverage.

The institutional trajectory of pot-still cachaça revealed the predominance of different forms of institutional creation work, highlighting three major fronts: political work, technical work, and cultural work. Political work was fundamental in the quest for the formal recognition of cachaça and in structuring rules that could differentiate it in the market. Initially, the actions of producers and state entities resulted in the creation of AMPAQ and the Pro-Cachaça program in Minas Gerais, which were precursors to the national normative discussions. Subsequently, this mobilization led to the formulation of laws and decrees, such as **Law No. 8.918/1994** and **Decree No. 4.062/2001**, which established cachaça as a genuinely Brazilian product. The most recent achievement of this process was **MAPA Ordinance 539/2022**, which finally differentiated pot-still cachaça from industrial cachaça, marking a milestone in the sector's institutionalization.

Technical work, in turn, was present in the construction and enhancement of production norms, including the quest for coercive guarantees that would ensure the adoption of the new rules. This process was visible in the implementation of **Normative Instruction No. 13/2005 (NI 13/2005)**, which introduced physicochemical standards for the beverage, and in its subsequent update by **NI No. 28/2014**, which revised the limits of components such as ethyl carbamate. These norms were inspired by international regulations, evidencing the adoption of **institutional mimicry** as a strategy to facilitate the acceptance of new rules in the field. Furthermore, the creation of the Cachaça Sectoral Chamber in 2004 demonstrated the importance of normative support networks for strengthening the sector's governance.

Finally, cultural work played an important role in constructing the identity of pot-still cachaça and in its differentiation before the market and consumers. From the 1990s onwards, there was a growing effort to consolidate cachaça as a culturally relevant and differentiated

product, combating the view that it was merely a generic *aguardente* (spirit). This process was driven by **Decree No. 4.062/2001**, which recognized cachaça as an exclusive geographical indication of Brazil, and later by **MAPA Ordinance 539/2022**, which allowed the use of the term "Pot Still Cachaça" on labels, reinforcing its authenticity.

From a theoretical standpoint, this study contributes to the field of Organizational Studies by demonstrating how different forms of institutional work — political, technical, and cultural — articulate in the creation of new institutions within a field undergoing formalization. The research further highlights the intentional, reflective, and critical role of actors in creating norms and practices for inducing institutional changes.

Empirically, the study offers a detailed analysis of the institutionalization trajectory of pot-still cachaça, revisiting its historical-normative process and highlighting mobilization efforts for the cultural valorization and professionalization of the sector. In doing so, it provides relevant insights for both strengthening sectoral governance and formulating public policies aimed at the formalization and recognition of traditional Brazilian products.

Despite the advancements, challenges persist, especially concerning the adaptation of small producers to regulatory requirements and the need for greater articulation among sector agents. The future of pot-still cachaça will depend on the continuity of these institutional strategies, seeking to consolidate its identity and ensure its competitiveness in both national and international markets, which indicates directions for future studies for the sector and the field, identifying the impact of these rules on the field.

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