

LABELLING REQUIREMENTS FOR ALCOHOLIC DRINKS

GUIDANCE NOTES

Important Note

1. These guidance notes give an outline of the labelling requirements which apply to alcoholic drinks and are intended as a general guide. They give an outline of the requirements contained in legislation and should not be taken as an authoritative interpretation of the law, as only the Courts have this power. More detailed information may be obtained by reading the Statutory Instruments and other Regulations referred to which are obtainable from the Stationery Office.

ALCOHOLIC DRINKS

2. The requirements mentioned in the following paragraphs apply to most alcoholic drinks intended for sale in England, Scotland and Wales (separate, but similar, legislation covers Northern Ireland) to the ultimate consumer or to a catering establishment. The labelling of Community-controlled wine however, is governed by European legislation as follow:

wine and grape must - Council Regulation (EEC) No. 2392/89 and
Commission Regulation (EEC) No. 3201/90

sparkling wine and aerated sparkling wine - Council Regulation (EEC) No. 2333/92

aromatised wine Council Regulation (EEC) No. 1601/91

The EU has not adopted general rules on labelling wine, semi-sparkling wine and aerated semi-sparkling wine (with the exception of alcoholic strength labelling as set out in Commission Regulation (EEC) No. 3901/91), therefore the following requirements continue to apply.

GENERAL REQUIREMENTS

3. **The name of the food.** This would generally be the customary name, unless there is a reserved name laid down in Regulations, in which case that should be used. Where a reserved name or a customary name is not used, a precise description or other name which would both indicate the true nature of the product and distinguish it from others with which it might be confused would be sufficient. Trademarks, brand names or fancy names cannot take the place of the name under which the product is sold but may be used in addition to it.
4. A complete **list of ingredients** in descending order by weight. This is currently only required for drinks with an alcoholic strength by volume (abv) of 1.2% or less.
5. An **appropriate indication of minimum durability (date mark)**. Drinks with an alcoholic strength of less than 10% (abv) are required to bear a date mark. Depending on the shelf life of the product, this should be expressed in terms of the day, month and year (in that order) preceded by the words "best before" or as the month and year (in that order) or the year only,

preceded by the words "best before end". Exemptions from date marking include: drinks sold in bulk containers of more than 5 litres where these are intended for supply to catering establishments, cider, perry, and most wines. More detailed information on date marking is available from the general labelling contact given at the end of this guidance.

6. Any **special storage conditions or conditions of use**.

7. The **name or business name and an address** or registered office of the manufacturer or packer (who may be located anywhere), or of a seller established within the EU.

8. The **place of origin** of the product. This must be given if failure to do so would be materially misleading to the purchaser with regard to its true origin.

9. **Instructions for use** should be given if appropriate use could not be made of the product without them.

10. All prepacked drinks with an alcoholic strength of more than 1.2%(abv) must be labelled with an **indication of alcoholic strength by volume**. This must be shown as a figure (to not more than one decimal place) preceded by the word "alcohol" or by the abbreviation "alc" and followed by the symbol "% vol". Specified positive and negative tolerances are permitted in respect of the indication of alcoholic strength.

11. Specified descriptions can be used to describe drinks of not more than 1.2%(abv). These descriptions include:

- "low alcohol" - a drink with an alcoholic strength by volume of not more than 1.2%;
- "de-alcoholised" - a drink from which the alcohol has been extracted and which has an alcoholic strength by volume of not more than 0.5%; and
- "alcohol-free" - a drink from which the alcohol has been extracted and which has an alcoholic strength by volume of not more than 0.05%.

12. Furthermore, the description "non-alcoholic" shall not be used in conjunction with a name commonly associated with an alcoholic drink, except in the composite name "non-alcoholic wine" when that composite name is used in accordance with regulation 43 of the Food Labelling Regulations.

13. When anyone of these descriptions is used, the drink must be labelled with an indication of its maximum alcoholic strength (in one of the forms described in paragraph 10 above) immediately preceded by the words "not more than".

14. The EEC Spirit Drinks Regulation 1576/89 (see paragraph 17) lays down definitions, minimum strengths and certain other labelling requirements for spirit drinks. Under transitional arrangements, products produced in conformity with national provisions in force before 15 December 1989, but which are not in conformity with the Regulation, may only be sold if they

were bottled before 31 December 1990, labelled before 31 March 1991, and have been held at the point of sale since before 15 December 1991.

15. The word "wine" must not be used as part of a composite name for any drink in a way that is likely to cause confusion with products which are covered by the terms "wine" or "table wine" as defined in Council Regulation (EEC) No. 822/87. When a composite name including the word "wine" is used for a drink which has been made from fruit or similar substances other than grapes, the name of the fruit or substance used must be shown immediately before the word "wine" in the composite name. If a mixture of fruits and/or other substances has been used, only those which give the wine its character must be shown (see also paragraph 19 below).

SCOTCH WHISKY ACT 1988

16. The Scotch Whisky Act 1988 should be read in conjunction with the Scotch Whisky Order 1990 (SI 1990 No. 998). It includes a detailed definition of Scotch Whisky and sets a minimum alcoholic strength for this product of 40%(abv).

EC SPIRIT DRINKS REGULATION 1576/89 (Official Journal L160 (12 June 1989) as amended)

17. This Regulation lays down the general rules on the description, definition and presentation of spirit drinks produced in the European Community. It is enforced in England and Wales by the Spirit Drinks Regulations 1990 (SI 1990 No. 1179). Separate, but similar, Regulations cover Scotland and Northern Ireland. A number of additional detailed rules are set out in subsequent Commission Regulations.

MANNER OF MARKING REQUIREMENTS

18. Except for paragraph 19 below and certain of the EC Regulations, the Food Labelling Regulations do not lay down requirements as to size and type of letters to be used in labelling, but there are general principles to be observed. These require that essential particulars should be easy to understand, clearly legible and indelible and, when the food is sold to the ultimate consumer, the details must be marked in a conspicuous place so as to be easily visible. Further, the particulars must not be hidden, obscured or interrupted by any other written or pictorial matter: for example, the name of the food must not be broken up by other material. Where a date mark, indication of alcoholic strength and net quantity must be given, they should be shown on the label in the same field of vision as the name of the food.
19. When a composite name including the word "wine" is used (see paragraph 15 above) each word that forms part of the name must appear in lettering of the same type and colour and of such a height that the composite name is clearly distinguishable from other particulars.

WEIGHTS AND MEASURES

20. The Weights and Measures Act 1985 requires most prepacked food to carry on the container an indication of the net quantity of the contents. When sold other than prepacked, food is

required to be sold either by quantity or by number or the seller has to make the quantity known to the purchaser. Orders made under the Act limit the quantities in which certain foods may be prepacked when offered for retail sale (prescribed quantities).

Product specific enquiries - Food and Drink Industry Division,
DEFRA,
Whitehall Place,
London SW1A 2HH

(paragraphs 14 - 17 & 19)

Spirit Drinks Tel: 020 7 270 8930 (paragraphs 14, 16 & 17)
Wine Tel: 0207 270 8137 (paragraphs 15 & 19)

General labelling enquiries - Food Labelling & Standards Division
(all other paragraphs)
Tel: 020 7276 8147

Quantity marking - The Department of Trade and Industry
Consumer Affairs and Competition Directorate
Room 4.G.17
1 Victoria Street
London SW1H 0ET
Tel: 020 7215 0334

**FOOD LABELLING & STANDARDS DIVISION
SEPTEMBER 2001**