

DRAFT

Food Standards Code—Standard 2.7.1

as in effect on [date of Standard]

Made under the *Food Standards Australia New Zealand Act 1991*

CONSULTATION DRAFT

7 July 2014

Standard 2.7.1 Labelling of alcoholic beverages and food containing alcohol

Note 1 This instrument is a standard under the *Food Standards Australia New Zealand Act 1991* (Cth). The standards together make up the Australia New Zealand Food Standards Code. See also section 1.1.1—3.

Note 2 The provisions of the Code that apply in New Zealand are incorporated by reference into a food standard under the *Food Act 1981* (NZ). See also section 1.1.1—3.

2.7.1—1 Name

This Standard is *Australia New Zealand Food Standards Code — Standard 2.7.1 — Alcoholic beverages*.

Note Commencement:

This Standard commences on [date of commencement], being the date specified as the commencement date in notices in the *Gazette* and the *New Zealand Gazette* under section 92 of the *Food Standards Australia New Zealand Act 1991* (Cth). See also section 93 of that Act.

2.7.1—2 Definitions

Note In this Code (see section 1.1.2—2):

standard drink, for a beverage, means the amount of a beverage which contains 10 grams of ethanol when measured at 20°C.

2.7.1—3 Statement of alcohol content

- (1) For the labelling provisions, a statement of the alcohol content is required for:
- a food (including an alcoholic beverage) that contains more than 1.15% alcohol by volume; or
 - an alcoholic beverage that contains 1.15% or less alcohol by volume; or
 - a beverage that contains not less than 0.5% but not more than 1.15% alcohol by volume.

Note The labelling provisions are set out in Standard 1.2.1.

- (2) For paragraph (1)(a), the alcohol content must be expressed in mL/100 g, mL/100 mL or as the percentage of alcohol by volume.
- (3) For paragraph (1)(b) or (c), the alcohol content must be expressed using the words 'CONTAINS NOT MORE THAN X% ALCOHOL BY VOLUME'.
- (4) The statement must be accurate to within:
 - (a) for beer, cider or perry—0.3% alcohol by volume;
 - (b) for spirits, liqueurs, fortified wine, fortified fruit or vegetable wine, and all other alcoholic beverages containing more than 1.15% alcohol by volume—0.5% alcohol by volume;
 - (c) for wine and fruit wine (including sparkling forms), and wine products and fruit or vegetable wine products containing more than 6.5% alcohol by volume—1.5% alcohol by volume.

2.7.1—4 Statement of the number of standard drinks

- (1) For the labelling provisions, a statement of the approximate number of standard drinks in the food for sale is required for a food that:
 - (a) is capable of being consumed as a beverage; and
 - (b) contains more than 0.5% alcohol by volume, measured at 20°C.

Note The labelling provisions are set out in Standard 1.2.1.

- (2) The statement must be accurate to:
 - (a) for a food for sale containing 10 or less standard drinks—the first decimal place; or
 - (b) for a food for sale containing more than 10 standard drinks—the nearest whole number of standard drinks.
- (3) A statement is not required for beverages packaged prior to 20 December 2002.

2.7.1—5 Restriction on representations of low alcohol

An alcoholic beverage which contains more than 1.15% alcohol by volume must not be represented as a low alcohol beverage.

2.7.1—6 Restriction on representation of 'non-intoxicating'

The label on a package of a beverage containing more than 0.5% alcohol by volume must not include the words 'non intoxicating' or words of similar meaning.

2.7.1—7 Restriction on representation as non-alcoholic

A food containing alcohol must not be represented in a form which expressly or by implication suggests that the product is a non-alcoholic confection or non-alcoholic beverage.

