

Q & A on the Code requirements for pregnancy warning labelling on alcoholic beverages

What standards in the Australia New Zealand Food Standards Code (the Code) have been amended to include requirements for pregnancy warning labelling?

The key amendments were made to Standards 1.1.2 and 2.7.1 (see below). Read the amended standards in [the Code](#).

Standard 1.1.2 – Definitions used throughout the Code

New definitions related to the requirements for pregnancy warning labelling have been included in subsection 1.1.2—2(3):

- Individual unit
- Pregnancy warning label
- Pregnancy warning mark
- Pregnancy warning pictogram
- Prescribed alcoholic beverage

Standard 2.7.1 – Labelling of alcoholic beverages and food containing alcohol

See, in particular, Division 4.

Note: existing requirements in the Code may also apply to pregnancy warning labelling.

Is there an explanatory statement that accompanies these new requirements?

Yes. [Read the explanatory statement](#).

What alcoholic beverages have to display a pregnancy warning label?

Packaged alcoholic beverages with more than 1.15% alcohol by volume for retail sale in Australia and New Zealand (or sold as suitable for retail sale without any further processing, packaging or labelling) must display a pregnancy warning label, **except** when the beverage is packaged in the presence of the purchaser. This exception means, for example, wine or beer served in a glass at a restaurant or bar, fill your own container at a bottle store, or additional packaging applied in the presence of the retail purchaser, are not required to display a pregnancy warning label.

The requirement to display a pregnancy warning label applies to, for example, relevant packaged alcoholic beverages that are:

- made and packaged on the premises from which they are offered for retail sale
- delivered packaged and ready for consumption, at the express order of the retail purchaser
- sold at a fund raising event
- displayed in an assisted service display cabinet
- sold from a vending machine

- sold at retail in a hamper.

Code references:

- definition of 'prescribed alcoholic beverage' in subsection 1.1.2—2(3)
- section 2.7.1—8
- definition of 'package' in subsection 1.1.2—2(3).

When do packaged alcoholic beverages that require a pregnancy warning label have to be compliant with the requirements?

The new requirements were gazetted in the Code on 31 July 2020. There is a three year transition period from this gazettal date during which time businesses can choose to adopt the new requirements. Businesses will need to comply with the requirements from 1 August 2023.

Do alcoholic beverages imported into Australia or New Zealand have to display a pregnancy warning label?

Yes. The requirements for a pregnancy warning label apply to all packaged alcoholic beverages with more than 1.15% alcohol by volume for retail sale in Australia and New Zealand.

If an imported alcoholic beverage already has a pregnancy warning label, does it have to be removed or covered for sale in Australia or New Zealand?

No. The Code does not prohibit the use of more than one pregnancy warning label provided the required warning label is included.

Can a pregnancy warning label be displayed via a sticker fixed to the alcoholic beverage label (i.e. via overstickering)?

Yes. The Code does not prohibit the use of stickers for providing labelling information. The warning label is required on the product when it is available for retail sale.

Does a pregnancy warning label have to be displayed in a particular location on the alcoholic beverage label?

No. Neither the location nor the orientation of a pregnancy warning label is prescribed.

Do alcoholic beverages sold to caterers have to display a pregnancy warning label?

No.

A pregnancy warning label is only required to be displayed when a packaged alcoholic beverage is for retail sale. If a beverage sold to a caterer is then sold for retail sale it would be required to display the warning label, unless an exemption applied such as packaged in the presence of the purchaser.

Do alcoholic beverages produced and labelled before the end of the transition period need to display a pregnancy warning label if they are offered for retail sale after 1 August 2023?

No.

The transitional arrangements permit prescribed alcoholic beverages packaged and labelled **before** the end of the transition period to be sold after the transition period without having to display a pregnancy warning label.

[Read the transitional arrangements.](#) (see the first entry in the *Application, saving and transitional provisions* table at the end of this compilation)

Are downloadable labels available?

Yes.

[Downloadable labels \(including a summary of design requirements\).](#)

Is pregnancy warning labelling required on the outer packaging of a multipack or outer packaging (e.g. box) of an individual unit as well as each individual unit?

Yes, if the multipack or box containing an individual unit is for retail sale. The outer package is the outer-most layer of packaging for retail sale.

For example, a pregnancy warning label must be displayed on the following if they are presented for retail sale:

- for a box containing a bottle of wine, on the box and the bottle of wine
- for a carton containing multiple bottles of wine, on the carton and on each bottle of wine
- for a pack containing multiple bottles/cans of beer (such as a 'six pack'), on the pack and on each bottle/can of beer.

There are **two exemptions** to this requirement. A pregnancy warning label is **not** required on:

- an outer package if a pregnancy warning label on an individual unit is clearly discernible and not obscured by the outer package e.g. when clear wrapping is used around a bottle of wine; plastic rings around six pack of beer
- the bladder within a box of a prescribed alcoholic beverage e.g. the bladder within a cask of wine.

Note: any packaging between the outer package and the individual unit(s) (e.g. tissue paper) is not required to display a pregnancy warning label.

Code reference:

- section 2.7.1—8

Does packaging used to transport alcoholic beverages from one site to another and not used for retail sale (i.e. a transportation outer) have to display pregnancy warning labelling?

No.

Only packaging used for retail sale must display pregnancy warning labelling.

Code references:

- definition of 'prescribed alcoholic beverage' in subsection 1.1.2—2(3)
- section 2.7.1—8.

What type of pregnancy warning label is required to be displayed on a prescribed alcoholic beverage?

The type of pregnancy warning label required depends on the volume of the prescribed alcoholic beverage and whether the label is for a beverage container or outer packaging.

There are two types of pregnancy warning labels:

Pregnancy warning mark



Pregnancy warning pictogram



The **pregnancy warning pictogram** must be displayed on a prescribed alcoholic beverage with a volume not over 200 ml.

The **pregnancy warning mark** must be displayed on a prescribed alcoholic beverage with a volume over 200 ml.

The outer package of a single individual unit with a volume not over 200 ml is required to display the **pregnancy warning pictogram**, while a **pregnancy warning mark** is required on the outer package of a single individual unit with a volume over 200 ml .

The **pregnancy warning mark** must be displayed on an outer package with more than one individual unit (irrespective of the volume in each individual unit).

For example:

- For a single bottle of spirits which has a volume not more than 200 ml contained in an outer box, a pregnancy warning pictogram must be displayed on the outer packaging (box).
- For two 100 ml bottles of liqueur contained in a box, a pregnancy warning pictogram must be displayed on each 100 ml bottle of liqueur. A pregnancy warning mark must be displayed on the outer packaging (box).
- For a 1 L bottle of spirits and a 100 ml bottle of liqueur contained in a box, a pregnancy warning mark must be displayed on the 1 L bottle and a pregnancy warning pictogram

must be displayed on the 100 ml bottle. A pregnancy warning mark must be displayed on the outer packaging (box).

Code references:

- section 2.7.1—8
- tables to subsections 2.7.1—9(3), 2.7.1—10(1) and (3), and 2.7.1—11(1) and (3).

Does the pregnancy warning label have to be a particular size?

Yes, there are minimum size requirements.

The minimum size requirements for a pregnancy warning label for a package of a prescribed alcoholic beverage with one layer of packaging (i.e. beverage container) depend on the volume of the prescribed alcoholic beverage.

There are also minimum size requirements for a pregnancy warning label on outer packaging of prescribed alcoholic beverages, and on individual unit(s) of prescribed alcoholic beverages within a box or multipack. These requirements also depend on the volume of the prescribed alcoholic beverage concerned.

[Read the size requirements.](#)

Code references:

- tables to subsections 2.7.1—9(2) and (3), 2.7.1—10(2) and (3), 2.7.1—11(2) and (3)

Other than size, are there any other label design requirements?

Yes.

There are requirements for the following label design elements, including:

- text of the signal words and statement in the pregnancy warning mark
- form of the pictogram
- colour of text, elements of the pictogram and pregnancy warning mark; and label background
- font type and case
- language
- border and clear space around the pregnancy warning mark.

[Read the summary of design requirements.](#)

Code reference:

- definitions of “pregnancy warning mark” and “pregnancy warning pictogram” in subsection 1.1.2—2(3)
- section 2.7.1—12