



Notification Number: 1992/292/UK

THE FOOD LABELLING (AMENDMENT) REGULATIONS ///

Date received : 20/10/1992
End of Standstill : 25/01/1993 (**23/04/1993**)
Issue of detailed opinion by : Commission

Message

MINISTERE DE L'INDUSTRIE ET DE LA RECHERCHE
ATT. M. J.P. LETEURTROIS

INSTITUT BELGE DE NORMALISATION,
ATT. M. CROON

INSPECTION DU TRAVAIL ET DES MINES
VIA MINISTERE DES AFFAIRES ETRANGERES
26 RUE ZITHE, 2010 LUXEMBOURG
ATT. M. A. SCHUSTER

MINISTERE DE L'INDUSTRIE
ATT. M. CAVANNA

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,
LONDON SW1V 1PT. ATT. MR. P. LAMBERT

GOVERNMENT SERVICE OF INDUSTRY AND COMMERCE, NSAI
ATT. MR. J. NULTY

MINISTERIE VAN ECONOMISCHE ZAKEN, (DG BEB),
BEZUIDENHOUTSEWEG 30,
POSTBUS 20101, 2500 EC S'GRAVENHAGE
ATT. MR A.C.F VAN RHIJN

INDUSTRIMINISTERIET
INDUSTRI- OG HANDELSSTYRELSEN
ATT. MR. KELD DYBKJAER

ATT. MME. MOUSTAKA-ZERVAKOU

ATT. MR. MELAGRAKIS

ATT. DR. WINKEL



D. ALFREDO RAMBLA JOVANI
SUBDIRECTOR GENERAL DE COORDINACION COMUNITARIA
PARA ASUNTOS INDUSTRIALES

MR. ADALBERTO PEREA MARTIN, ESPAGNE

DIRECCAO GERAL DOS ASSUNTOS FARMACEUTICOS
MINISTERIO DA SAUDE

INSTITUTO DA QUALIDADE ALIMENTAR
MINISTERIO DA AGRICULTURA, PESCAS E ALIMENTACAO

MR. CANDIDO DOS SANTOS, PORTUGAL

G.A.M.M.A INSTITUTE
GREECE

415790 ICC CH
ICC: PLEASE FORWARD THIS MESSAGE TO ICC MAILBOX EFTBT
TELEX 001

COMMUNICATION FROM THE COMMISSION - SG (92) D/51826
DIRECTIVES 83/189/EEC AND 88/182/EEC

NOTIFIKATION - NOTIFIZIERUNG - NOTIFICATION - NOTIFICACION
NOTIFICATION - NOTIFICA - KENNISGEVING - NOTIFICACAO 92/0292/UK

FRISTERNE INDLEDES IKKE -KEIN FRISTBEGINN - DOES NOT OPEN THE
DELAYS - NO ABRE EL PLAZO - N'OUVRE PAS DE DELAIS - NON FA
DECORRERE LA MORA - GEEN TERMIJNBEGIN - NAO INICIA O PRAZO

- 3B2 : 9201817.EN

1. Structured Information Line

TLX 001 IND- 92 0292 UK- EN ----- 921020 --- ---

2. Member State

UNITED KINGDOM

3. Department Responsible

DEPARTMENT OF TRADE AND INDUSTRY: STANDARDS, QUALITY AND
POLICY UNIT

3. Originating Department

MINISTRIES OF AGRICULTURE, FISHERIES AND FOOD

4. Notification Number

92/0292/UK

5. Title

THE FOOD LABELLING (AMENDMENT) REGULATIONS



////

6. Products Concerned

DRINKS TOGETHER WITH ANY PRODUCT WHICH HAS AN ALCOHOLIC STRENGTH OF NO LESS THAN 0.05 PER CENT ABV, WHICH BUT FOR THE FACT THAT IT'S ALCOHOLIC STRENGTH IS LESS THAN 0.5 PER CENT WOULD FALL WITHIN THE DEFINITION OF 'INTOXICATING LIQUOR' AS DEFINED IN THE LICENCING ACT 1964.

7. Notification Under Another Act

-

8. Main Content

THESE REGULATIONS AMEND THE PRINCIPAL FOOD LABELLING REGULATIONS 1984 TO :

1) EXTEND CURRENT STRENGTH MARKING PROVISIONS TO REQUIRE THE DECLARATION OF THE STRENGTH OF ALL DRINKS OF 0.05 PER CENT ABV (ALCOHOL FREE) UP TO 1.2 PER CENT ABV FOR WHICH DECLARATIONS ARE ONLY NEEDED AT PRESENT IF A 'LOW ALCOHOL' OR SIMILAR CLAIM IS MADE :

2) REPEAL THE CURRENT SHANDY REGULATIONS WHICH REQUIRE SUCH PRODUCTS TO HAVE AN ALCOHOLIC STRENGTH OF BETWEEN 0.9 PER CENT AND 1.2 PER CENT ABV FOR BOTH PREPACKED AND NON-PREPACKED DRINKS.

THE POSITIVE AND NEGATIVE TOLERANCES CURRENTLY PERMITTED FOR STRENGTH DECLARATIONS OF DRINKS STRONGER THAN 1.2 PER CENT ABV ARE NOT EXTENDED TO DRINKS BELOW 1.2 PER CENT. DRINKS IMPORTED FROM ANOTHER MEMBER STATE AND NOT COMPLYING WITH THIS REGULATION SHALL BE SUBJECT TO MUTUAL RECOGNITION PROVIDED THEY ARE CAPABLE OF BEING LAWFULLY SOLD IN THAT MEMBER STATE.

////

9. Brief Statement of Grounds

AT PRESENT THERE IS NO REQUIREMENT FOR DRINKS OF NOT LESS THAN 1.2 PER CENT ABV TO BE MARKED WITH THEIR STRENGTH UNLESS THE LABEL PLACES SPECIAL EMPHASIS ON THE FACT THAT THE DRINK IS 'LOW ALCOHOL'. WHEN THE UNITED KINGDOM'S LICENSING (LOW ALCOHOL DRINKS) ACT IS IMPLEMENTED ALL DRINKS NOT EXCEEDING 0.5 PER CENT ABV AT POINT OF SALE WILL BE FREED FROM LICENCING RESTRICTIONS.

THIS MEANS THAT THERE IS A GAP IN THE LEGISLATION WHICH MIGHT PREVENT RETAILERS AND CONSUMERS FROM IDENTIFYING DRINKS WHICH WERE OR WERE NOT SUBJECT TO THE AMENDED LICENSING LAWS. TO



OVERCOME THIS IT IS NECESSARY TO EXTEND THE FOOD LABELLING REGULATIONS 1984 TO ENSURE THAT ALL DRINKS WHICH WOULD REMAIN SUBJECT TO LICENSING (IE. THOSE ABOVE 0.5 PER CENT) WOULD BE MARKED WITH THEIR STRENGTH.

THE FOOD LABELLING REGULATIONS AT PRESENT PROVIDE THAT THE DESCRIPTION 'SHANDY' CAN ONLY BE APPLIED TO DRINKS WITH AN ABV OF AT LEAST 0.9 PER CENT, WHICH IS ABOVE THE PROPOSED LICENSING LIMIT, EVEN THOUGH SUCH DRINKS MAY BE FREELY SOLD TO THOSE UNDER 18 YEARS OF AGE. REPEALING THESE PROVISIONS WOULD PERMIT LOWER STRENGTH SHANDIES TO BE SOLD IN UNLICENSED PREMISES AND TO CHILDREN, BUT THE STRENGTH OF SUCH PRODUCTS WOULD BE REDUCED TO NOT MORE 0.5 PER CENT. THE EXTENSION OF THE STRENGTH MARKING REQUIREMENT TO ALL DRINKS OF 0.05 PER CENT OR ABOVE WILL ENABLE THE PRODUCT TO BE CLEARLY DISTINGUISHED FROM THE NORMAL STRENGTH DRINKS.

////

10. Reference Documents - Basic Texts

DRAFT TEXT :

THE FOOD LABELLING (AMENDMENT) REGULATIONS

BASIC TEXTS :

THE FOOD LABELLING (AMENDMENT) REGULATIONS 1989

THE FOOD LABELLING REGULATIONS 1984

11. Invocation of the Emergency Procedure

NO

12. Grounds for the Emergency

-

D. WILLIAMSON
COMEUR
NNNN