

**European Union comments on
Codex Circular Letter CL 2024/13-FL
Request for information on the labelling of alcoholic beverages**

*Mixed Competence
European Union Vote*

For background information, please see CL 2024/13-FL and REP18/FL, paras 53-63, REP19/FL, paras 107-118, REP21/FL, paras 144-147, REP23/FL, paras 137-143.

To help inform replies to the questionnaire, the following considerations should be taken into account:

- Considering that ethanol is a toxic, psychoactive substance with dependence producing propensities and alcohol use resulted in 2.6 million deaths and contributed to 4.7% of the Global Burden of Disease in 2019.
- Considering the significant developments and international commitments of Members since alcohol labelling was first introduced to the CCFL44 agenda in 2017, including the recent [WHO Global Alcohol Action Plan 2022-2030](#) adopted by consensus of all WHO Member States at the 75th World Health Assembly in May 2022, calling for Member States to *“ensure appropriate consumer protection measures through the development and implementation of labelling requirements for alcoholic beverages that display essential information for health protection on alcohol content in a way that is understood by consumers and also provides information on other ingredients with potential impact on the health of consumers, caloric value and health warnings”*.
- Considering that through the endorsement of the Global Alcohol Action Plan, WHO Member States have called upon the WHO Secretariat to *“develop technical guidance on the labelling of alcoholic beverages to inform consumers about the content of products and health risks associated with their consumption”* and to, inter alia *“develop a portfolio of policy guidance... and the development and implementation of warning labels”*.
- Considering that in May 2023, the 76th Session of the World Health Assembly endorsed an updated menu of policy options and cost-effective interventions for the prevention and control of noncommunicable diseases, which recommends *“to provide consumers with information, including labels and health warnings, about contents of alcoholic beverages and the harms associated with alcohol consumption”*.
- Considering that the purpose of the Codex Alimentarius Commission (CAC) is protecting the health of consumers and ensuring fair practices in the food trade as well as promoting coordination of all food standards work undertaken by international governmental and non-governmental organizations, including provisions with respect to food labelling.
- Considering the definition of food in the Codex Alimentarius Commission Procedural Manual and the *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985) as follows: *“Food, means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drinks, chewing gum and any substance which has been used in the manufacture, preparation or treatment of “food” but does not include cosmetics or tobacco or substances used only as drugs”*.
- Considering that the *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985) contains specific provisions on “foods such as wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines” and “alcoholic beverages containing at least 10% alcohol by volume” and considering that the *Guidelines on Nutrition Labelling* (CXG 2-1985) provides conversion factor for the calculation of energy of alcohol.
- Considering that the Codex Secretariat clarified during CCFL45 and CCFL47 that the existing Codex labelling texts applied to all foods, including alcoholic beverages, but did not seem to be widely applied by Codex members.

To help inform the development of the Discussion Paper on this topic for consideration by CCFL48, we request Codex members to respond to the following questions. Please enter your name / contact details when responding.

To facilitate submission of comments, a compilation of relevant Codex standards and related texts on labelling requirements applying to foods are listed in the table attached as Appendix 2.

QUESTIONNAIRE

On the understanding that alcoholic beverages fall under the definition of food as stipulated in the Codex Procedural Manual and Codex standards and related texts, the mandatory labelling requirements listed in Appendix 2 apply to alcoholic beverage labelling. These include, *inter alia*:

- i. List of all ingredients, including foods and ingredients known to cause hypersensitivity (allergens) and food additives permitted for use in foods, as per the *General Standard for the Labelling of Prepackaged Foods (CXS 1-1985)*.
- ii. A nutrient declaration, when a nutrition or health claim is made, listing all nutrients such as energy value, protein, carbohydrate, fat, saturated fat, fibre, sodium and total sugars, vitamins and minerals including calculation and presentation of nutrients, as per the *Guidelines on Nutrition Labelling (CXG 2-1985)*.
- iii. A nutrient declaration when nutrient content claims (low, very low, high, free, source), comparative claims, non-addition claims (sugar and sodium), health claims based on current scientific substantiation and claims related to dietary guidelines or healthy diets are made and provided the conditions of the *Guidelines for Use of Nutrition and Health Claims (CXG 23-1997)* and *General Guidelines on Claims (CXG 1-1997)* are met.
- iv. For organically produced foods, the General Standards for the Labelling of Prepackaged Foods (CXS 1-1985) apply (Para 1.i) above.

Question 1

- Considering the increasing scientific evidence that any level of alcohol consumption is associated with health risks and the mounting evidence-based effectiveness of health-related information on alcoholic beverage labelling.
- Considering that health warnings are currently not covered by the General Standard for the Labelling of Prepackaged Food and other related texts.
- Considering that the existing mandatory labelling requirements in Codex texts do not seem to be widely applied to alcoholic beverages by Codex members.

Would you agree to develop specific provisions on mandatory labelling tailored to alcoholic beverages to address the WHO recommendations included in the Global Action Plan on Alcohol 2022-2030 and the related menu of policy options and cost-effectiveness interventions on the labelling of alcoholic beverages endorsed by the 76th Session of the World Health Assembly in May 2023 which would meet the commitments of Members? These would include:

Mandatory labelling requirements	Strongly agree	Somewhat agree	Undecided	Somewhat disagree	Strongly disagree
1. Health-related information					
Alcohol by volume (alcohol strength)					
Drinking guidelines					
Risks of consuming alcohol during pregnancy					
Risks of consuming alcohol and driving					

Legal age limits for purchasing alcohol					
2. Nutrition-related information					
Energy value (calories)					
Carbohydrate					
Total sugars					
Sodium					
Allergens					
Additives					
Gluten					
Proteins					
Fat					
3. Restrictions on nutrition claims E.g. low in sugar, with added vitamins and minerals, high in iron.					
4. Restrictions on health claims E.g. drinking alcohol may have protective effects on reducing some diseases.					
5. Exemptions E.g. for alcoholic beverages with low levels of alcohol by volume, including developing a standard definition of <i>low level of alcohol</i> .					
6. Any other labelling requirements not considered above These could include <i>inter alia</i> additional health-related information such as possible links between alcohol and cancer, violence, suicide, addiction, etc. Please explain in the comments section.					
Comments					
<p><i>The absence of replies in the above table is not indicative of the position of the European Union and its Member States (EUMS). The position of the EUMS is reflected hereunder.</i></p> <p><u><i>Sub-questions 1 and 2</i></u></p> <p><i>The existing General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) and the Guidelines on Nutrition labelling (CXG 2-1985) apply to all prepackaged foods, including alcoholic beverages. Alcoholic beverages fall under the definition of 'food' and are therefore subject to the same requirements as other foods under these two Codex texts. The EUMS consider that the</i></p>					

requirements are sufficiently clear in the existing Codex texts. The EUMS are therefore of the view that there is no need for any work on “nutrition-related information”.

The EUMS note that the indication of the alcohol content of alcoholic beverages (alcohol by volume/alcohol strength) is not addressed in Codex texts. As this indication is an important information for consumers to enable them to make informed choices, the EUMS support work on the labelling of alcohol content on alcoholic beverages, taking into account the existing recommendations of the International Organisation of Vine and Wine (OIV).

Sub-questions 3 and 4

The EUMS note furthermore that, as regards nutrition and health claims, alcoholic beverages are subject to the same requirements as other foods under the Guidelines for Use of Nutrition and Health Claims (CAC/GL 23/1997), as they fall under the definition of 'food'. In the EU, Regulation (EC) No 1924/2006 on nutrition and health claims made on foods provides that beverages containing more than 1,2 % by volume of alcohol cannot bear health claims and that, as far as nutrition claims are concerned, only nutrition claims referring to low alcohol levels, or the reduction of the alcohol content, or the reduction of the energy content for beverages containing more than 1,2 % by volume of alcohol, are permitted. The EUMS are therefore in favour of work on restrictions on nutrition and health claims on alcoholic beverages.

Sub-questions 1 and 6

There is no EU level legislation concerning health warnings on alcoholic beverages. The Member States of the EU have different alcohol labelling policies.

Question 2

Considering your above answers, what options would you consider for the development of specific provisions on mandatory labelling tailored to alcoholic beverages?

Options	Strongly agree	Somewhat agree	Undecided	Somewhat disagree	Strongly disagree
1. Revising the existing Codex standards and related texts for their application to alcoholic beverages.					
2. Developing a new Codex standard for alcoholic beverages.					
3. Any other options. Please explain in the comments section.					

Comments

The absence of replies in the table is not indicative of the position of the EUMS. The position of the EUMS is reflected hereunder.

As explained under question 1, the EUMS support work on:

- the labelling of alcohol content on alcoholic beverages through the modification of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985),
- restrictions on nutrition and health claims on alcoholic beverages through the modification of the Guidelines for Use of Nutrition and Health Claims (CAC/GL 23/1997).

Question 3

To address comments made by some Codex members since CCFL44 on whether alcoholic beverages fall under the Codex definition of food as stated in the Procedural Manual and the Codex General Standard for the Labelling of Prepackaged Foods, **would you consider revising the existing definitions or developing new definitions in relevant Codex texts? Please explain.**

Options	Strongly agree	Somewhat agree	Undecided	Somewhat disagree	Strongly disagree
1. Revising the standard definition of <i>food</i> to include <i>alcoholic beverages</i> , in addition to <i>drinks</i> .					
2. Developing a standard definition of drinks, which would include alcoholic beverages.					
3. Developing a standard definition of <i>non-alcoholic drinks</i> .					
4. Any other options? Please explain in the comments section.					
<p>Comments</p> <p><i>The absence of replies in the table is not indicative of the position of the EUMS. The position of the EUMS is reflected hereunder.</i></p> <p><i>The EUMS consider that the existing definitions are sufficiently clear in the Codex texts and that there is no need for revising the definition of “food”, nor for establishing a definition of “drinks” including alcoholic beverages or of “non-alcoholic drinks”.</i></p>					
<p>Question 4</p> <p>Please provide any additional comments or suggestions that Codex should consider regarding alcoholic beverage labelling. Please explain.</p>					
<p>Comments</p>					

Compilation of relevant Codex standards and related texts on labelling requirements

1. GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS CXS-1-1985)	
Mandatory labelling requirements	Exemptions/Exceptions/Restrictions
Name of food	
List of ingredients, including: a) Food and ingredients known to cause hypersensitivity (allergens) b) Food Additives permitted for use in foods c) Processing aids and carry-over of food additives in significant quantities	With the exception of spices and herbs, small units with a surface area of less than 10cm ²
Net content and drained weight	With the exception of spices and herbs, small units with a surface area of less than 10cm ²
Country of origin	With the exception of spices and herbs, small units with a surface area of less than 10cm ²
Lot Identification	With the exception of spices and herbs, small units with a surface area of less than 10cm ²
Date marking and storage instructions	For alcohol, wines, liqueur wines, aromatized wines, fruit wines, sparkling wines, alcoholic beverages containing at least 10% of alcohol by volume, Date of Manufacture of Date of Packaging may be provided.
Instructions for use	With the exception of spices and herbs, small units with a surface area of less than 10cm ²
Additional Mandatory labelling requirements	
Quantitative ingredients declaration for foods sold as a mixture or combination under certain conditions.	
Irradiated foods (foods treated with ionizing radiation).	
Optional Labelling	
Any information or pictorial device written, printed, or graphic matter may be displayed in labelling provided it is not in conflict with the mandatory requirements and General Principles of the standard.	
Presentation of Mandatory Information	
Labels shall not be separated from the container and statements shall be clear and prominent. Supplementary label may be used if language of original label is not acceptable to the consumer.	

2. GUIDELINES ON NUTRITION LABELLING (CXG 2-1985)	
Mandatory labelling requirements	Exemptions/Exceptions/Restrictions
Nutrient declaration for all prepackaged foods for which nutrition or health claims (as defined in the Guidelines for Use of Nutrition and Health (CXG 23-1997) are made.	Where national circumstances would not support such declarations. Certain foods may be exempted for example on the basis of nutritional or dietary insignificance or small packaging.
Listing of nutrients, including: <ul style="list-style-type: none"> a) Energy value b) Amounts of protein, carbohydrate (i.e. dietary carbohydrate excluding dietary fibre), fat, saturated fat, sodium and total sugars c) Amount of any other nutrient for which a nutrition or health claim is made (e.g. dietary fibre) d) Amount of any other nutrient considered to be relevant for maintaining a good nutritional status, as required by national legislation or dietary guidelines. 	Where a product is subject to labelling requirements of a Codex standard, the provisions for nutrient declaration set out in the other Codex standard should take precedence over but not conflict with listing of nutrients, including vitamins and minerals, of these Guidelines.
Vitamins and minerals for which recommended intakes have been established and/or which are of nutritional importance in the country concerned.	Vitamins and minerals present in amounts less than 5% of the NRV or officially recognized guidelines are exempted. Above exemption also applies.
Presentation of nutrient content should be numerical.	Use of additional means of presentation should not be excluded.
Tolerance and compliance should be set in relation to public health concerns.	Where a product is subject to a Codex standard, requirements for tolerance for nutrient declaration established by that standard should take precedence over these Guidelines.
Whether nutrition labelling is applied on a mandatory or voluntary basis, the principles of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) on Presentation of Mandatory Information should be applied.	Competent authorities may determine any additional means of presentation of nutrition information taking into account approaches and practical issues at national level and based on the needs of their consumers.
Optional Labelling Supplementary nutrition information. Should be given in addition to, and not in place of, the mandatory nutrient declaration.	Target populations who have high illiteracy rate and/or comparatively little knowledge of nutrition. Food group symbols or other pictorial or colour presentations may be used without the nutrient declaration.
Front-of-Pack Nutrition Labelling (FOPNL) <ul style="list-style-type: none"> a) Should only be provided in addition to, and not in place of, the mandatory nutrient declaration and subject to the provisions on optional labelling/supplementary nutrition information of these Guidelines. b) The general principles of the <i>General Standard for the Labelling of Prepackaged Foods</i> (CXS 1-1985). 	Foods covered by the following Codex standards are excluded: <i>Standard for Infant Formula and Formulas for Special Medical Purposes intended for Infants</i> (CXS 72-1981), <i>Standard for Follow-up formula</i> (CXS 157-1987), <i>Standard for Labelling of and Claims for Foods for Special Medical Purposes</i> (CXS 180-1991) FOPNL should not be used in any way that could promote the consumption of alcohol.

3. GUIDELINES FOR USE OF NUTRITION AND HEALTH CLAIMS (CXG 23-1997)	
Mandatory Labelling Requirements	Exemptions/Exceptions/Restrictions
Any food for which a nutrition or health claim is made should be labelled with a nutrient declaration in accordance with the provisions of the <i>Guidelines on Nutrition Labelling</i> (CXG 2-1985) set out above.	The only nutrition claims permitted shall those relating to energy, protein, carbohydrate, and fat and components thereof, fibre, sodium and vitamins and minerals for which Nutrient Reference Values (NRV's) have been laid down in the <i>Guidelines for Nutrition Labelling</i> (CXG 2-1985).
When Nutrient Content Claims (Low, Very low, Free, Source, High), Comparative Claims and Non-Addition Claims (Sugars and Sodium Salts) are made, they should be in accordance with these Guidelines and labelled in accordance with the <i>Guidelines on Nutrition Labelling</i> (CXG 2-1985).	
When Health Claims are made based on current relevant scientific substantiation, the following should appear on the label or labelling of the food: a) Quantity of the nutrient b) Target group c) How to use the food d) Advice to vulnerable groups on how to use or to avoid the food. e) Maximum safe intake of the food or constituent f) How the food or constituent fits within the context of total diet. g) Statement on the importance of maintaining a healthy diet.	Health Claims should have a clear regulatory framework for qualifying and/or disqualifying conditions for eligibility to use the specific claim, including the ability of competent national authorities to prohibit claims made for foods that contain nutrients or constituents in amounts that increase the risk of disease or an adverse health-related condition. The health claim should not be made if it encourages or condones excessive consumption of any food or disparages good dietary practice.
Claims related to dietary guidelines or healthy diets.	Should be recognized by the appropriate national authority. A Food should not be described as healthy or be represented in a manner that implies that a food in and of itself will impart health.
4. GENERAL GUIDELINES ON CLAIMS (CXG 1-1979)	
<p>The Guidelines relate to claims made for a food irrespective of whether or not the food is covered by an individual Codex Standard.</p> <p>The principle on which the Guidelines are based is that no food should be described or presented in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.</p> <p>For the purpose of the Guidelines, a claim is any representation which states, suggests or implies that a food has particular characteristics relating to its origin, nutritional properties, nature, production, processing, composition or any other quality.</p>	

5. GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS (CXG 32-1999)

These Guidelines apply to the following products which carry, or are intended to carry, descriptive labelling referring to organic production methods:

- a) Unprocessed plants and plant products, livestock products to the extent that the principles of production and specific rules for them are introduced in Annexes 1 (principles of organic production) and 3 (minimum inspection requirements and precautionary measures under the inspection or certification system) of the Guidelines; and
- b) Processed agricultural crop and livestock products intended for human consumption derived from (a) above.

The labelling and claims of the above products may refer to organic production only under the conditions stipulated in Section 3 – Labelling and Claims of the Guidelines.

A product will be regarded as bearing indications referring to organic production methods where, in the labelling or claims, including advertising material or commercial documents, the product, or its ingredients, is described by the terms “organic”, “biodynamic”, “biological”, “ecological”, or words of similar intent including diminutives which, in the country where the product is placed on the market, suggests to the purchaser that the product or its ingredients were obtained according to organic production methods.

Organic products shall be labelled in accordance with the *General Standards for the Labelling of Prepackaged Foods (CXS 1-1985)*.

See Mandatory Labelling Requirements and Exemptions in CXS 1-1985 above.