

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 in, or adopted under, the *Food Act 2014* (NZ). See also section 1.1.1—3.

Division 1 Preliminary

2.7.1—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 2.7.1 – Labelling of alcoholic beverages and food containing alcohol*.

Note Commencement:

This Standard commences on 1 March 2016, 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):

individual unit means a container that:

- (a) is an innermost package; and
- (b) contains a beverage with more than 1.15% alcohol by volume.

pregnancy warning label means either the pregnancy warning pictogram or the pregnancy warning mark.

pregnancy warning mark means the following image comprising

- (a) the pregnancy warning pictogram,
- (b) the signal words “Pregnancy Warning” and
- (c) the statement “Alcohol can cause lifelong harm to your baby”,

all within a border.



pregnancy warning pictogram means the following pictogram with the silhouette of a pregnant woman holding a wine glass within a circle with a strikethrough:



prescribed alcoholic beverage means a beverage that:

- (a) has more than 1.15% alcohol by volume; and
- (b) either:
 - (i) is for retail sale; or
 - (ii) is sold as suitable for retail sale without any further processing, packaging or labelling; and
- (c) does not include a beverage that:
 - (i) is sold for retail sale; and
 - (ii) is packaged in the presence of the purchaser

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

size of type means the measurement from the base to the top of a letter or numeral.

Division 2 Requisite statements

2.7.1—3 Statement of alcohol content

- (1) For the labelling provisions, a statement of the alcohol content is required for:
 - (a) a food (including an alcoholic beverage) that contains more than 1.15% alcohol by volume; or
 - (b) an alcoholic beverage that contains 1.15% or less alcohol by volume; or
 - (c) 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 in words to the effect '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.

Division 3 Restricted representations

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.

Division 4 **Pregnancy warning labels**

2.7.1—8 **Requirement to display a pregnancy warning label**

- (1) A *prescribed alcoholic beverage that has one layer of packaging must display a *pregnancy warning label on its package.
- (2) A *prescribed alcoholic beverage that has more than one layer of packaging must display a *pregnancy warning label on:
 - (a) the outer package; and
 - (b) either:
 - (i) the *individual unit; or
 - (ii) each *individual unit—if the packaging includes more than one individual unit.
- (3) Subsection (2) does not require a *pregnancy warning label to be on the outer package if a pregnancy warning label on an *individual unit is clearly discernible and not obscured by the outer package.
- (4) Subsection (2) does not require a *pregnancy warning label to be on the bladder within a box of a *prescribed alcoholic beverage.

2.7.1—9 **Pregnancy warning label for one layer of packaging**

- (1) A *prescribed alcoholic beverage that:
 - (a) is required by subsection 2.7.1—8(1) to display a *pregnancy warning label on its package; and
 - (b) is listed in Column 1 of the table to subsection (3):must display the pregnancy warning label listed in Column 2 of that table on its package.
- (2) The pregnancy warning label required by subsection (1) must comply with any corresponding size requirements listed in Columns 3, 4 and 5 of the table to subsection (3).
- (3) The table to this subsection is:

Pregnancy warning label required

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Prescribed alcoholic beverage</i>	<i>Pregnancy warning label to be displayed</i>	<i>Size of the *pregnancy warning pictogram or the pictogram of a *pregnancy warning mark</i>	<i>*Size of type of the signal words</i>	<i>*Size of type of the statement of a pregnancy warning mark</i>
A *prescribed alcoholic beverage with a volume not more than 200 ml.	The *pregnancy warning pictogram.	At least 8 mm diameter	Not applicable	Not applicable
A *prescribed alcoholic beverage with a volume more than 200 ml but not more than 800 ml.	The *pregnancy warning mark.	At least 6 mm diameter	At least 2.1 mm	At least 1.6 mm
A *prescribed alcoholic beverage with a volume more than 800 ml.	The *pregnancy warning mark.	At least 9 mm diameter	At least 2.8 mm	At least 2.1 mm

2.7.1—10 Pregnancy warning label for an outer package

- (1) A *prescribed alcoholic beverage that:
- (a) is required by paragraph 2.7.1—8(2)(a) to display a *pregnancy warning label on its outer package; and
 - (b) is listed in Column 1 of the table to subsection (3);
- must display the pregnancy warning label listed in Column 2 of that table on its outer package.
- (2) The pregnancy warning label required by subsection (1) must comply with any corresponding size requirements listed in Columns 3, 4 and 5 of the table to subsection (3).
- (2A) Subsection (2) does not apply to a *pregnancy warning mark to which section 2.7.1—13 applies.
- (3) The table to this subsection is:

Pregnancy warning label required

Column 1	Column 2	Column 3	Column 4	Column 5
<i>Prescribed alcoholic beverage</i>	<i>Pregnancy warning label to be displayed</i>	<i>Size of the *pregnancy warning pictogram or the pictogram of a *pregnancy warning mark</i>	<i>*Size of type of the signal words</i>	<i>*Size of type of the statement of a pregnancy warning mark</i>
A *prescribed alcoholic beverage with: a volume not more than 200 ml; and packaging that includes only one *individual unit.	The *pregnancy warning pictogram.	At least 8 mm diameter	Not applicable	Not applicable
All other *prescribed alcoholic beverages.	The *pregnancy warning mark.	At least 11 mm diameter	At least 3.5 mm	At least 2.7 mm

2.7.1—11 Pregnancy warning label for an individual unit

- (1) A *prescribed alcoholic beverage that:
- (a) is required by paragraph 2.7.1—8(2)(b) to display a *pregnancy warning label on one or more individual units; and
 - (b) is an individual unit that is listed in Column 1 of the table to subsection (3);
- must display the pregnancy warning label listed in Column 2 of that table on each such individual unit.
- (2) The pregnancy warning label required by subsection (1) must comply with any corresponding size requirements listed in Columns 3, 4 and 5 of the table to subsection (3).
- (3) The table to this subsection is:

Pregnancy warning label required

Column 1	Column 2	Column 3	Column 4	Column 5
<i>Individual unit</i>	<i>Pregnancy warning label to be displayed</i>	<i>Size of the *pregnancy warning pictogram or the pictogram of a *pregnancy warning mark</i>	<i>*Size of type of the signal words</i>	<i>*Size of type of the statement of a pregnancy warning mark</i>
An *individual unit with a volume not more than 200 ml.	The *pregnancy warning pictogram.	At least 8 mm diameter	Not applicable	Not applicable
An *individual unit with a volume more than 200 ml but not more than 800 ml.	The *pregnancy warning mark.	At least 6 mm diameter	At least 2.1 mm	At least 1.6 mm
An *individual unit with a volume more than 800 ml.	The *pregnancy warning mark.	At least 9 mm diameter	At least 2.8 mm	At least 2.1 mm

2.7.1—12 Required form for pregnancy warning labels

- (1) Subject to subsection (10), a *pregnancy warning label required by this Division to be displayed must comply with this section.
- (2) The background of the *pregnancy warning label must be in the colour white.
- (3) The circle and strikethrough of the *pregnancy warning pictogram must be in the colour red.
- (4) The silhouette of a pregnant woman on the *pregnancy warning pictogram must be in the colour black.
- (5) The signal words of the *pregnancy warning mark must be:
 - (a) in the colour red; and
 - (b) in bold font; and
 - (c) in a sans-serif typeface; and
 - (d) in capital letters; and
 - (e) in English.
- (6) The statement of the *pregnancy warning mark must be:
 - (a) in the colour black; and
 - (b) in a sans-serif typeface; and
 - (c) in sentence case; and
 - (d) in English.
- (7) The border of the *pregnancy warning mark must be in the colour black.
- (8) The *pregnancy warning mark must be displayed on the package with a clear space that:
 - (a) surrounds the outside of the border of the pregnancy warning mark; and
 - (b) is at least 3mm in width.
- (9) The *pregnancy warning label must be displayed as a whole and without modification.
- (10) This section does not apply to a *pregnancy warning mark to which section 2.7.1—13 applies.

2.7.1—13

Optional pregnancy warning mark for corrugated cardboard outer packaging

- (1) This section applies to a *pregnancy warning mark that:
 - (a) is required by subsection 2.7.1—10(1) to be displayed on the outer package of a *prescribed alcoholic beverage; and
 - (b) is displayed on a *prescribed alcoholic beverage to which subsection (2) applies; and
 - (c) has been printed on the outer package of the *prescribed alcoholic beverage using a post-print (flexographic) printing process; and
 - (d) complies with this section.
- (2) This subsection applies to a *prescribed alcoholic beverage that has:
 - (a) packaging that includes more than one *individual unit; and
 - (b) an outer package that:
 - (i) is made of corrugated cardboard; and
 - (ii) has an outside liner made of kraft, recycled or white paper.
- (3) The *pregnancy warning pictogram must be at least 14mm in diameter.
- (4) The *size of type of the signal words of the *pregnancy warning mark must be at least 4.4 mm.
- (5) The *size of type of the statement of the *pregnancy warning mark must be at least 3.4 mm.
- (6) The background of the *pregnancy warning mark must be in the same colour as the outside liner.

Note Subparagraph 2.7.1—13(2)(b)(ii) requires the outside liner to be made of kraft, recycled or white paper, the colours of which are brown, grey or white.
- (7) The circle and strikethrough of the *pregnancy warning pictogram must be in the colour black.
- (8) The silhouette of a pregnant woman on the *pregnancy warning pictogram must be in the colour black.
- (9) The strikethrough of the *pregnancy warning pictogram must be displayed with a clear space on either side of the strikethrough so both the strikethrough and silhouette of a pregnant woman on the *pregnancy warning pictogram are clearly legible.
- (10) The signal words of the *pregnancy warning mark must be:
 - (a) in the colour black; and
 - (b) in bold font; and
 - (c) in a sans-serif typeface; and
 - (d) in capital letters; and
 - (e) in English.
- (11) The statement of the *pregnancy warning mark must be:
 - (a) in the colour black; and
 - (b) in a sans-serif typeface; and
 - (c) in sentence case; and
 - (d) in English.
- (12) The border of the *pregnancy warning mark must be in the colour black.
- (13) The *pregnancy warning mark must be displayed on the package with a clear space that:
 - (a) surrounds the outside of the border of the pregnancy warning mark; and
 - (b) is at least 3mm in width.

- (14) The *pregnancy warning mark must be displayed as a whole and without modification.
- (15) In this section, a **post-print (flexographic) printing process** means the pregnancy warning mark is printed directly on to the outside liner of corrugated cardboard packaging using flexible raised image printing plates.

Application, saving and transitional provisions

The table below details information on application, saving or transitional provisions in instruments affecting this Standard.

<i>Food Standards (Application A1256 – Colour of pregnancy warning labels for corrugated cardboard packaging) Variation</i>
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Items [1] [2] [3] and [4] of the Schedule	218	F2023L00523 4 May 2023 FSC158 4 May 2023	Clause 4	<p>Clause 4 provides a transitional arrangement for variations to the Code made by the Schedule.</p> <p>The transition period is the period of time that commences on 4 May 2023 and ends on 1 February 2024.</p> <p>Subclause 4(1) provides that section 1.1.1—9 of Standard 1.1.1 of the Code does not apply to the variations.</p> <p>Subclause 4(2) states that clause 4, and therefore the transitional arrangements that it provides, shall apply only to a food product that is an alcoholic beverage:</p> <ul style="list-style-type: none"> (a) that is required by subsection 2.7.1—10(1) of the Code to display a pregnancy warning mark on its outer package; and (b) to which subsection 2.7.1—13(2) of the Code applies <p>Subclause 4(3) provides that, during the transition period, a food product may be sold if the product complies with one of the following:</p> <ul style="list-style-type: none"> (a) the Code as in force without the above variations; (b) the Code as amended by the above variations. <p>Subclause 4(4) provides that a food product may be sold after the transition period if the product complies with one of the following:</p> <ul style="list-style-type: none"> (a) the Code as amended by the pregnancy warning label amendments ; or (b) both the following apply: the product was packaged and labelled before 2 February 2024; and the labelling on the product's outer package complies with the Code as in force without the pregnancy warning label amendments. <p>Subclause 4(5) <i>provides that</i> clause 4 does not limit clause 4 of the <i>Food Standards (Proposal P1050 – Pregnancy warning labels on alcoholic beverages) Variation</i>.</p> <p>Subclause 4(6) provides that the term 'pregnancy warning label amendments' used in subclause 4(3) means the variations made by the Schedule and by the <i>Food Standards (Proposal P1050 – Pregnancy warning labels on alcoholic beverages) Variation</i>.</p> <p>Subclause 4(6) also provides a definition of transition period for the purposes of clause 4.</p>
<i>Food Standards (Proposal P1050 – Pregnancy warning labels on alcoholic beverages) Variation</i>				

Items [3.1] and [3.2] of the Schedule	194	F2020L00952 28 July 2020 FSC 135 31 July 2020	Clause 4	<p>Clause 4 provides a transitional arrangement for variations to the Code made by Items [3.1] and [3.2] of the Schedule.</p> <p>The transition period is the period of time that commences on 31 July 2020 and ends on 31 July 2023.</p> <p>Subclause 4(1) provides that section 1.1.1—9 of the Code does not apply to the variations.</p> <p>Subclause 4(2) provides that during the transition period a food product may be sold if the product complies with one of the following:</p> <ul style="list-style-type: none"> (a) the Code as in force without the above variations; (b) the Code as amended by the above variations. <p>Subclause 4(3) provides that a food product that was labelled before the end of the transition period may be sold after the transition period if the product complies with one of the following:</p> <ul style="list-style-type: none"> (a) the Code as in force without the above variations; (b) the Code as amended by the above variations.
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Amendment History

The Amendment History provides information about each amendment to the Standard. The information includes commencement or cessation information for relevant amendments.

These amendments are made under section 92 of the *Food Standards Australia New Zealand Act 1991* unless otherwise indicated. Amendments do not have a specific date for cessation unless indicated as such.

About this compilation

This is compilation No. 3 of Standard 2.7.1 as in force on **4 May 2023** (up to Amendment No. 218). It includes any commenced amendment affecting the compilation to that date.

Prepared by Food Standards Australia New Zealand on **4 May 2023**.

Uncommenced amendments or provisions ceasing to have effect

To assist stakeholders, the effect of any uncommenced amendments or provisions which will cease to have effect, may be reflected in the Standard as shaded boxed text with the relevant commencement or cessation date. These amendments will be reflected in a compilation registered on the Federal Register of Legislative Instruments including or omitting those amendments and provided in the Amendment History once the date is passed.

The following abbreviations may be used in the table below:

ad = added or inserted	am = amended
exp = expired or ceased to have effect	rep = repealed
rs = repealed and substituted	

Standard 2.7.1 was published in the Food Standards Gazette No. FSC96 on 10 April 2015 as part of Amendment 154 (F2015L00469 — 1 April 2015) and has since been amended as follows:

Section affected	A'ment No.	FRLI registration Gazette	Commencement (Cessation)	How affected	Description of amendment
2.7.1—1	161	F2016L00120 18 Feb 2016 FSC103 22 Feb 2016	1 March 2016	am	Correction to name of Standard.
2.7.1—2	194	F2020L00952 28 July 2020 FSC 135 31 July 2020	31 July 2020	ad	Definitions of 'individual unit', 'pregnancy warning label', 'pregnancy warning pictogram', 'prescribed alcoholic beverage'. Division 4 'Pregnancy warning labels'. <i>For application, saving and transitional provisions, see above table.</i>
2.7.1—10	218	F2023L00523 4 May 2023 FSC158 4 May 2023	4 May 2023	ad	Insert subsection (2) <i>For application, saving and transitional provisions, see above table.</i>
2.7.1—12(1)	218	F2023L00523 4 May 2023 FSC158 4 May 2023	4 May 2023	am	Omit and substitute <i>For application, saving and transitional provisions, see above table.</i>
2.7.1—12(9)	218	F2023L00523 4 May 2023 FSC158 4 May 2023	4 May 2023	ad	Insert (10) <i>For application, saving and transitional provisions, see above table.</i>
2.7.1—13	218	F2023L00523 4 May 2023 FSC158 4 May 2023	4 May 2023	ad	Insert 2.7.1—13 <i>For application, saving and transitional provisions, see above table.</i>