

Public Health (Alcohol) (Labelling) Regulations 2023

The **Public Health (Alcohol) (Labelling) Regulations 2023** provide that labels on alcohol products that are sold in the State must bear warnings about the danger of drinking alcohol in relation to liver disease, drinking alcohol when pregnant and of the direct link between alcohol and fatal cancers.

The Irish wine trade must now urgently tackle the implementation of this new labelling legislation from an operational point of view. With the implementation date only 20 months away, the trade requested a meeting with **Drinks Ireland Wine** for a briefing on this issue.

This document is a short summary of some of the criteria required by the impending legislation and is being sent to you for guidance purposes.

Date: **Friday 6th September, 2024** Time: **12:30**
Venue: **IBEC 84/86 Lower Baggot Street, Dublin D02 H720**
TOPIC: **Public Health (Alcohol) (Labelling) Regulations 2023**

The following companies attended

Bibendum Ireland, Cassidy Wines, Classic Drinks, Febvre & Co, Findlater & Co, Liberty Wines, Richmond Marketing, Santa Rita Estates, Tindal Wine Merchants and 10 International.



About Drinks Ireland

Drinks Ireland represents alcohol drinks manufacturers and suppliers on the Island of Ireland. Under the Drinks Ireland umbrella, there are the following trade associations: Drinks Ireland | Beer; Drinks Ireland | Cider; Drinks Ireland | Spirits; **Drinks Ireland | Wine** and the Irish Whiskey Association. Drinks Ireland is a sector association within Ibec. www.drinksireland.ie

Drinks Ireland Director **Cormac Healy** and **Jennifer Wallace** Director of **Drinks Ireland | Wine** briefed those attending about the implications of the impending legislation. The briefing was by invitation.

Background

The Labelling Legislation was signed into law on 22 May 2023 with a three-year lead in time. The implementation date is **22nd May 2026** (Statutory Instrument 249 of 2023).

(See attached Guideline July 2024 for more information).

Under this new legislation it will be an **OFFENCE FOR: -**

- I. Alcohol products to be sold in the state without the required health warnings and health information.
- II. To sell **alcohol products in a reusable container** unless accompanied by the **required documents**.
- III. Licence-Holder not to display the **required notice inside the premises**.
- IV. Licence-Holder to sell alcohol products **online without required health warning/info**.
- V. Holder of licence or employee, when requested by a person in the **licensed premises**, to fail to **furnish a document** with the required information relating to the **grams, and kilojoules and kilocalories**.

The New Labels

The legislation requires the following information on **alcohol product containers**:

The health warnings and health symbol shall be of the following proportions:

- a) The surface area reserved for the health warning **“Drinking alcohol causes liver disease”** shall have a width of not less than 45 millimetres and height of not less than 10 millimetres and shall not contain anything other than that warning.
- b) the surface area reserved for the health symbol (**pregnancy logo**) shall have a width of not less than 15 millimetres and height of not less than 15 millimetres and shall not contain anything other than that symbol.
- c) the surface area reserved for the health warning **“There is a direct link between alcohol and fatal cancers”** shall have a width of not less than 45 millimetres and height of not less than 15 millimetres and shall not contain anything other than that warning.

The **text of the health warnings** shall be:

- a) Printed in Times New Roman bold type on a white background;
- b) Printed in upper-case type;
- c) Printed in colour Pantone reference 2035 or a like red colour and in indelible ink;
- d) Printed at such a font size to occupy the greatest possible proportion of the surface reserved for the text of the warning;
- e) Printed in normal, weighted, regular typeface;
- f) Positioned at the centre of each surface reserved for such warnings and in the same direction as most of the other written information on the container.



The **health symbol** shall be:

- a) Printed at such size to occupy the greatest possible proportion of the surface reserved for the symbol;
- b) Printed in indelible ink in black and in colour Pantone reference 2035 or a like red colour as provided for in Schedule 2;
- c) Printed on a white background;
- d) Printed in such manner that the red line across the human figure does not obscure the outline shape of the figure;
- e) Positioned at the centre of each surface reserved for such symbol and in the same direction as most of the other written information on the container.

The **text of the health information** referred to in section 12(1)(iv) and (v) of the Act of 2018 shall be:

- a) Printed in black Times New Roman bold type on a white background in the form set out in Schedule 1;
- b) Printed at such a font size to occupy the greatest possible proportion of the surface reserved for the health information;
- c) Printed in normal, weighted, regular typeface;
- d) Printed in lower-case type, other than as provided for in Schedule 1;
- e) Positioned at the centre of each surface reserved for such health information and in the same direction as most of the other information on the container.

“Visit www.askaboutalcohol.ie” is prescribed for the purpose of section 12(1)(vi) of the Act of 2018 and shall be:

- a) printed in Times New Roman bold type on a white background in the form set out in Schedule 1;
- b) printed in black indelible ink;
- c) printed at such font size so as to occupy the greatest possible proportion of the surface reserved for the text;
- d) printed in normal, weighted, regular typeface;
- e) printed in lower-case type other than the first letter which shall be in upper-case type;

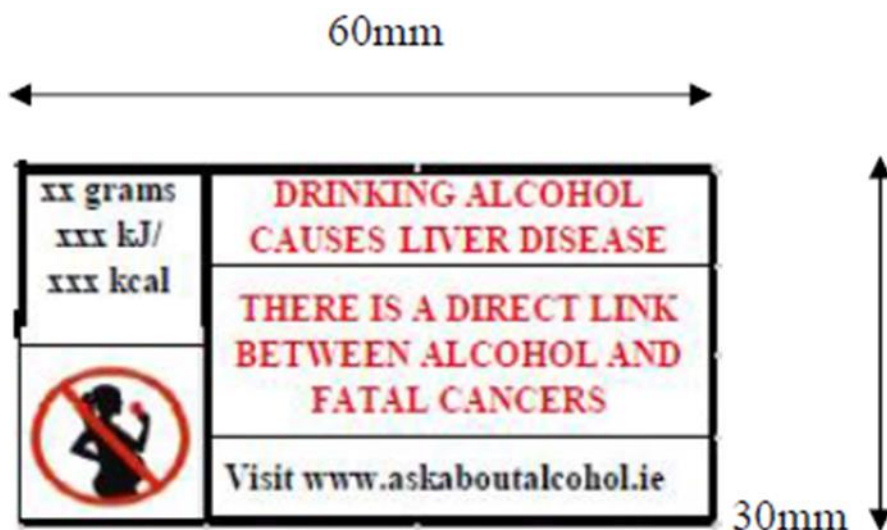
- f) positioned at the centre of each surface reserved for such health information and in the same direction as the majority of other information on the container.

Subject to Regulation 9, the combined area reserved for the health warnings, health symbol and health information shall have a width of not less than 60 millimetres and a height of not less than 30 millimetres and shall be surrounded by a black border not less than one millimetre and not more than 2 millimetres which shall appear outside the combined area reserved for the health warnings and health information

Subject to paragraph (2), in the case of an alcohol product the largest surface area of the container of which has an area of less than 80 square centimetres, the area reserved for the health warnings, health symbol and health information shall cover an area of not less than 75 per cent of the area provided in Regulations 6(1), 7(1) and 8 respectively.

For further detail on the requirements for alcohol product containers and information on alcohol sold in reusable containers, the notice to displayed by the licensee and the on-line sales of alcohol products, including visuals of the warnings and notices, **please consult the S.I. No. 249 of 2023, Public Health (Alcohol) (Labelling) Regulations 2023.**

Example of New Label



Summary notes below include:

Background briefing by Cormac Healy Director, Drinks Ireland

Drinks Ireland have been engaging with the Department of Health for some time to represent the industry's concerns regarding this legislation.

During the TRIS process at EU level, 13 member states opposed the legislation, but the commission failed to act. There was also opposition at WTO level with 12 WTO members submitting comments including key trading partners. Despite a major lobbying and communication campaign by Drinks Ireland which highlighted and amplified the significant EU

member state and international opposition, the Minister for Health signed the legislation into law in May 2023.

Questions were submitted to Drinks Ireland by the trade group for discussion. A short summary is outlined below:

The implementation date of 22nd May 2026. Will everything have to be labelled and on the shelves on that date? What about existing stock on retailer's shelves, or in the warehouse?

Drinks Ireland is still trying to clarify issues surrounding the implementation date, relating to supply chain etc. A key point currently under discussion relates to what happens to product already on the shelf on the date of implementation. Drinks Ireland have raised this issue with The Department of Health and await their response.

The general feeling discussed by those attending was that from the perspective of the large retailers, the lead in time could be up to 12 months prior to the 22.05.2026 date. It will not impact on fast moving products as much but would largely affect many mid-priced and premium wines with a longer shelf-life. It was felt that realistically the new labels would need to be in place, well in advance of the implementation date.

Are posters required in every hospitality venue? Will there be separate labels for wines sold in on trade or will a poster suffice? How will wines served by the glass be handled?

The poster will have to be displayed in a prominent position on premise, with a copy available should a customer request information in relation to what they are being served i.e. grams of alcohol and kcals per container. Staff will be obliged to show the relevant information to any customer who requests it. The poster must be available in English and *As Gaelige*.

For sales of a glass of wine in the on-trade, it will be an offence for the holder of a license or his employee, when requested by a person in the licensed premises, to fail to furnish a document with the following required information (Section 12.8 of the PHAA 2018).

- Quantity in grams of alcohol of each quantity, measure or unit of every alcohol product that is for sale in the licensed premises concerned
- the energy value expressed in kilojoules and kilocalories of each quantity, measure or unit of every alcohol product that is for sale in the licensed premises."

Size of labels, currently most back-labels fill the available space on a standard bottle? Where must the additional information be placed?

There is limited flexibility on label size, though it may be possible to get agreement for a bespoke sticker with details of the grams of alcohol information etc, positioned at the side of the bottle to be allowed.

In relation to smaller bottle sizes (e.g. quarter bottles) or cans, the request has been made to the Department of Health to allow for a graduated label size based on the size of the container.

The grams of alcohol are per container (e.g. the size of the bottle) not per 100 ml or size of service.



Colour specifications, red ink is more expensive than black, is it possible to have this amended?

Drinks Ireland have not raised this issue with the EHS.

The costs and logistics associated with labelling smaller parcels of wine (i.e. not a full container), including the bottling run, of say, 10 pallets of wines from a small region in Spain or another similar country.

The responsibility lies with the importers, manufacturers, wholesalers, and retailers.

Fine wines in wooden cases? Opening cases to attach stickers will affect the value of these wines and the relatively small volumes sold will affect availability and sourcing. What is to be done about the fine wine category?

The Department of Health have been requested to exclude secondary packaging from the legislation.

Who will be responsible for checking compliance?

The Department of Health **EHS (Environmental Health Service)** is the enforcement authority for Section 12 Labelling of Alcohol Products and Notices in Licensed Premises.

Where does the offence arise?

Further clarification required from the Department on this.

JS 8th August, 2024