

# PUBLIC HEALTH (ALCOHOL) ACT 2018 (NUMBER 249 Of 2023) GUIDANCE FOR INDUSTRY SECTION 12

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An Roinn Sláinte  
Department of Health



Feidhmeannacht na Seirbhíse Sláinte  
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## **Introduction**

The Steering Group Report on a National Substance Misuse Strategy (NSMS) published in 2012 states that “alcohol has major public health implications and it is responsible for a considerable burden of health and social harm at individual, family and societal levels.” The Report contains a range of recommendations to reduce the consumption of alcohol in general.

In October 2013, the Government approved a comprehensive suite of measures to reduce excessive patterns of alcohol consumption and resultant social, economic and health harms as set out in the NSMS including the drafting of a Public Health (Alcohol) Bill. The enactment of the Public Health (Alcohol) Bill was included in the Programme for a Partnership Government in 2016.

The Public Health (Alcohol) Act was enacted on 17 October 2018. The primary policy objectives of the legislation are to:

- reduce alcohol consumption to 9.1 litres of pure alcohol per person per annum,
- delay the initiation of alcohol consumption by children and young people,
- reduce the harms caused by the misuse of alcohol, and
- regulate the supply and price of alcohol in order to minimise the possibility and incidence of alcohol related harm.

These objectives were developed in recognition that alcohol causes harms to health, significant costs to the Exchequer and that alcohol consumption in Ireland remains high. The principles guiding the objectives are that the harms of alcohol make it unlike other grocery products, that consumers should be able to make informed choices about their drinking and that children and young people’s relationship with alcohol be addressed.

## **Guidance Document**

The aim of this publication is to provide guidance in relation to Section 12 of the Public Health (Alcohol) Act 2018 and the Public Health (Alcohol) (Labelling) Regulations 2023 which will come into effect from 22 May 2026 to persons who have responsibilities under this legislation.

As interpretation of the law is a matter for the Courts, this guidance is intended to provide general information on the Public Health (Alcohol) Act 2018 and should not be construed as legal advice. It is without prejudice to any other legal obligations under criminal or civil law.

## **Data Protection and Freedom of Information**

The Health Service Executive (HSE) fully respects your right to privacy. Any personal information attained for the purposes of the Public Health (Alcohol) Act will be treated in accordance with the Data Protection Acts, 1988 and 2003 (and any amending or substituting legislation). Your personal information will be used only for the purposes for which it is provided, for example, for conducting regulatory checks or requirements or to comply with a legal process. You are entitled to access information that the HSE holds relating to you and can do so by applying to the HSE in writing and on payment of the prescribed statutory fee. The HSE reserve the right to charge a reasonable administration fee for each access request. The HSE are entitled to take reasonable steps to establish your identity in relation to any query, amendment, access or deletion request in respect of the Alcohol Non-Compliance List.

## **Overview of the Public Health (Alcohol) Act 2018**

The Act proposes to achieve its objectives through the introduction of:

- minimum pricing of alcohol products;
- labelling of alcohol products and notices in licensed premises;
- prohibitions and restrictions on advertising and sponsorship;
- separation and visibility of alcohol products and advertisements for alcohol products in specified licensed premises; and
- the regulation of the sale and supply of alcohol products in certain circumstances.

### **Minimum Pricing of Alcohol Products**

The Act will prohibit the advertising or sale of alcohol products below a set minimum price (10 cent per gram of alcohol in the product). This is a targeted measure designed to prevent the sale of alcohol at very cheap prices and aimed at those who drink in a harmful and hazardous manner.

### **Labelling of Alcohol Products and Notices in Licensed Premises**

The Act provides for the following information on the label of an alcohol product:

- A warning to inform the public of the danger of alcohol consumption;
- A warning to inform the public of the danger of alcohol consumption when pregnant;
- A warning to inform the public of the direct link between alcohol and fatal cancers;
- The quantity of grams of alcohol contained in the product;
- The energy value expressed in kilojoules and kilocalories contained in the alcohol product,
- Details of a website run by the Health Service Executive providing information on alcohol and related harms.

Alcohol products sold in kegs or casks will have an accompanying document with the above information. Licensed premises will have a notice(s) in the legally prescribed form with above warnings and website information, confirming that a document noting the alcohol content and energy value of every product for sale in the premises is available on request. Finally, the above information will also be required to be displayed on any website that sells alcohol online. The aim is to provide consumers with information on alcohol products regardless of the manner of purchase whether in a shop, in a pub or online.

### **Prohibitions and Restrictions on Advertising and Sponsorship**

The Act provides for restrictions on the content and placement of alcohol advertising and introduces a broadcast watershed for alcohol advertising on TV and radio. Advertisements for alcohol products will be required to include both health warnings and details of the HSE alcohol website.

Advertising of alcohol products will be prohibited in or on a sports area when a sports event is taking place, at an event aimed particularly at children, or at an event where the majority of individuals taking part are children.

Children's clothing which promotes alcohol consumption or is branded with an alcohol product name, trademark, emblem, marketing image or logo will also be prohibited. The sponsorship by alcohol companies of events where the majority of individuals taking part are children, aimed particularly at children, or that involve driving or racing cars or motorbikes will be prohibited.

### **Separation and Visibility of Alcohol Products and Advertisements for Alcohol Products in Specified Licensed Premises**

Mixed trade retailers can store alcohol products in a storage unit behind the counter at only one point of sale area and can also display and advertise alcohol products using one of the following three options:

- A separate area of the shop separated by a physical barrier which has a minimum height of not less than 1.2 metres and through which alcohol and advertisements for alcohol are not visible or
- Enclosed adjacent storage units on the shop floor in which the products are not visible up to a minimum height of 1.5 metres or
- A maximum of three adjacent units, each of 1 metre width and 2.2 metres high.

Separation of alcohol products is intended to achieve the following objectives:

- access to alcohol products will be more controlled in premises to which it applies;
- alcohol products are less likely to be on display near grocery products, thereby discouraging their purchase as part of everyday household grocery shopping;
- alcohol products will be less visible to children.

### **The Regulation of the Sale and Supply of Alcohol Products in Certain Circumstances**

The Act provides for the Minister for Health to introduce regulations to prohibit or restrict certain types of promotions, for example, buy one alcohol product get another one free or Student Nights. The intention of the provision is to prohibit promotions which encourage risky drinking i.e. that encourage individuals to purchase or drink more than they intended or to drink faster than they intended.

## **Commencement**

The Public Health (Alcohol) Act 2018 (Commencement) Order 2018 (S.I. No. 448 of 2018) commenced Sections 1 to 3 inclusive, 5 to 9 inclusive, 14 to 17 inclusive, Section 20 and 22 to 31 inclusive.

With effect from 12 November 2019: Section 14 - prohibition on advertising in certain places, Section 17 - children's clothing, and Section 20 - advertising in cinemas came into operation.

With effect from 12 November 2020, Section 22 came into effect which provides for the separation of alcohol products from other grocery products in retail outlets.

With effect from 11 January 2021, regulations made under Section 23 of the Public Health (Alcohol) Act 2018 came into operation which regulate certain alcohol promotions.

With effect from 10<sup>th</sup> May 2021, the provision relating to minimum price of alcohol products was commenced and came into effect 4 January 2022.

With effect from 12 November 2021 Sections 15 and 16 of the Act came into effect which restrict alcohol advertising and sponsorship promoting alcohol products.

With effect from 24 November 2021 Section 4 of the Act was commenced, which provides that an applicant for the grant or renewal of a licence must provide one month's notice in writing to the Health Service Executive. This provision came into effect in November 2022.

With effect from 4 January 2022 the provision relating to the Minimum Price of Alcohol Products came into operation.

With effect from 18 May 2023, the Minister for Health signed the Public Health (Alcohol) (Labelling) Regulations 2023 and commenced the remaining subsections of Section 12 of the Public Health (Alcohol) Act. The legislation will come into operation on 22 May 2026.

With effect from 13 November 2023, Section 19 of the Act was commenced relating to the Broadcast Watershed. This provision will come into operation 10 January 2025.

Sections 13,18 and 21 of the Act will be commenced at later dates.

## **Definitions**

The following definitions will apply for the purpose of this guidance document.

“advertising” means any form of commercial communication with the aim or direct or indirect effect of promoting an alcohol product and includes, in relation to an alcohol product, every form of recommendation of the product to the public including—

- (a) (i) a statement of the name of a manufacturer or importer of an alcohol product, or the name of any brand of alcohol product, or
- (ii) a statement of any trade description or designation, or a display or other publication of a trademark, emblem, marketing image or logo, by reference to which the product is marketed or sold, in circumstances where such statement, display or publication may reasonably be regarded as a recommendation of the product to the public, and
- (b) a statement of the properties of the product on a label, container, wrapper or package used for the product or in a leaflet, circular, pamphlet or brochure issued to the public or given to a purchaser of the product;

“alcohol “means pure ethyl alcohol;

“alcohol product” has the same meaning as it has in section 73 of the Finance Act 2003;

“container” means, in relation to an alcohol product, a bottle or other container and where such bottle or container is accompanied by any additional packaging, also includes such packaging;

“employee” means a person who has entered into or works under (or, where the employment has ceased, entered into or worked under) a contract of employment and includes a fixed term employee, a temporary employee, a person who is training for employment or receiving work experience and a member of the family of an employer and references, in relation to an employer, to an employee shall be construed as references to an employee employed by that employer;

“holder of a licence” means the holder of an on-licence or the holder of an off-licence;

“premises” includes any land, building or part of a building, tent, caravan, or other temporary or moveable structure, ship or other vessel, aircraft, railway wagon or other vehicle (whether



stationary or otherwise) and any storage container used to transport alcohol products or relevant things;

“re-usable container” means a bottle, keg, cask or other container (other than a glass) that is intended to be filled with an alcohol product for resale by the holder of a licence.

## **Enforcement**

The National Environmental Health Service of the HSE is the enforcement authority for Section 12, Labelling of alcohol products and notices in licensed premises and the Public Health (Alcohol) (Labelling) Regulations 2023.

## **Section 12- Labelling of alcohol products and notices in licensed premises**

Section 12 of the Public Health (Alcohol) Act 2018 and 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. In addition, the label must state the quantity of grams of alcohol and the calorie content of the product. The labelling law requires that; a document containing the health warnings and health information must accompany alcohol sold in a reusable container; a notice must be displayed in the premises of the licence holder containing the required health warnings and health information and, those selling alcohol online must provide health warnings and health information to consumers. Additionally, under Subsection 8 of Section 12 of the Act, the holder of a license or their employee, must furnish on request, information relating to the grams, kilojoules and kilocalories for alcohol products not sold in a labelled container e.g. a glass.

### **Public Health (Alcohol) (Labelling) Regulations 2023**

#### **Labelling requirements**

From 22 May 2026, alcohol product containers must contain the following warnings and health information as set out in Schedule 1 of the Regulations.

- “Drinking alcohol causes liver disease”.  
The surface area reserved for this health warning 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 this warning.
- A warning symbol for drinking when pregnant.  
The surface area reserved for this health symbol 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 this symbol.
- “There is a direct link between alcohol and fatal cancers”.  
The surface area reserved for this health warning 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 this warning.
- The quantity of grams of alcohol and the energy value expressed in kilojoules and kilocalories contained in the container concerned.  
The surface area reserved for the information relating to both the quantity of grams and the kilojoules and kilocalories shall have a width of not less than 15 millimetres and a height of not less than 15 millimetres and shall not contain anything other than the information relating to the grams and the kilojoules and kilocalories.

- “Visit [www.askaboutalcohol.ie](http://www.askaboutalcohol.ie)”.

The surface area reserved for the “ask about alcohol” website shall have a width of not less than 45 millimetres and a height of not less than 5 millimetres and shall not contain anything other than the information relating to this website.

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 so as 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 the majority of other written information on the container.

The warning symbol related to drinking when pregnant shall be:

- (a) printed at such size so as 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 of the Regulations;
- (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 the majority of other written information on the container.

The text relating to the grams and the kilojoules and kilocalories shall be:

- (a) printed in black Times New Roman bold type on a white background in the form set out in Schedule 1 of the Regulations;
- (b) printed at such a font size so as 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 of the Regulations;
- (e) 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.

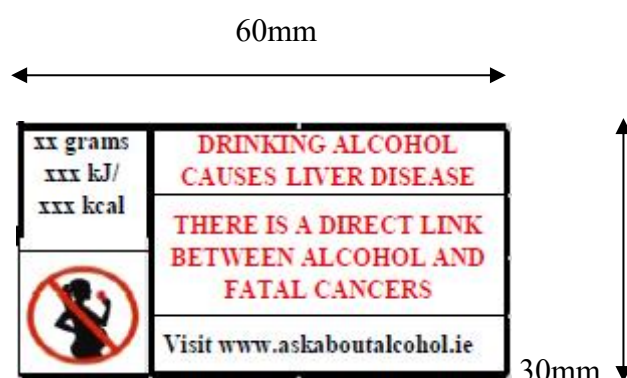
The text for “Visit [www.askaboutalcohol.ie](http://www.askaboutalcohol.ie)” shall be:

- (a) printed in Times New Roman bold type on a white background in the form set out in Schedule 1 of the Regulations;
- (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.

### Size & particulars of label on alcohol container

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.



Where the largest surface area of an alcohol product container is less than 80 square centimetres, the area reserved for the health warnings, health symbol and health information shall cover a minimum of 75% of the area provided.

Where the largest surface area of an alcohol product container is less than 80 square centimetres, the health warnings, health symbol and health information on the container of an alcohol product may be attached to the container concerned by means of an adhesive flag label.

The health warnings, health symbol and health information on the container of an alcohol product shall be -

- (a) included as part of the manufacturer's label attached to the container of the alcohol product,
- (b) included on a sticker affixed to the container of the alcohol product, or
- (c) stencilled, marked, embossed or impressed on the container of the alcohol product.

The health warnings, health symbol and health information included on the container of an alcohol product shall be affixed in a manner that ensures -

- (a) that they are not easily removable, and

- (b) that they remain intact when the container of the alcohol product is opened.

### **Requirements for the document, notice and for online sales of alcohol products**

#### **Document provided with alcohol sold in reusable containers**

From 22 May 2026, alcohol products sold in a reusable container, including but not limited to kegs or casks, are required to have an accompanying document as set out in Schedule 3 of the Regulations.

The document to be provided with an alcohol product sold in a reusable container shall:

- (a) be printed on white paper of at least A4 size;
- (b) contain the text set out in Schedule 3 of the Regulations in Times New Roman bold type of at least font size 24;
- (c) subject to paragraph (d), be in red font in upper-case type as set out in Schedule 3 of the Regulations; and
- (d) contain the information in relation to alcohol content and details of the website in black font in lower-case type as set out in Schedule 3 of the Regulations.

#### **Notice to be displayed by licensee**

From 22 May 2026, licensed premises are required to have a notice(s) as set out in Schedule 4 of the Regulations with the required health warnings and health information and which confirms that a document noting the grams and energy value of every product for sale in the premises is available on request. The holder of a licence shall display at least one notice as set out in Schedule 4 of the Regulations, adjacent or in close proximity to each public entrance to his or her licenced premises.

The notice to be displayed inside the premises by the holder of a licence shall,

- (a) be at least A4 size;
- (b) be printed on white paper or cardboard which may be laminated;
- (c) contain the text as set out in Schedule 4 of the Regulations;
- (d) be printed in Times New Roman bold type of at least font size 18;
- (e) be in red font in upper-case type as set out in Schedule 4 of the Regulations;
- (f) contain the information in relation to alcohol content and details of the website in black font in lower-case type as set out in Schedule 4 of the Regulations.

#### **On-line sales of alcohol products**

From 22 May 2026, the holder of a licence who sells or causes to be sold alcohol products on-line is required to display the health warnings and health information as set out in Schedule 5 on any website that sells alcohol online.

The text to be displayed on the website of the holder of a licence who sells or causes to be sold alcohol products on-line shall-

- (a) be displayed on any page of the website on which an alcohol product or alcohol products are displayed for sale,
- (b) be clearly visible to a person viewing the website, and
- (c) appear in a clear legible script, in red font which shall be in upper-case type.

The quantity in grams of alcohol and the energy value expressed in kilojoules and kilocalories of each alcohol product displayed on the website referred to in paragraph (1), shall -

- (a) be clearly visible to a person viewing the website,
- (b) appear in a clear legible script, in black font, and
- (c) be in close proximity to the description or representation of the product to which it applies.

### **What does this mean?**

From 22 May 2026, it is an offence for alcohol products to be sold in the State without the required health warnings and health information. It is an offence for someone to sell an alcohol product in a reusable container unless accompanied by the required document. It is an offence for a licence-holder not to display the required notice inside his premises. It is an offence for a licence-holder to sell alcohol online without the required health warnings and information. Under Subsection 8 of Section 12 of the Public Health (Alcohol) Act 2018, it is 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 required information relating to the grams and kilojoules and kilocalories.

The purpose of the labelling law is to ensure that important and necessary public health information is communicated to the Irish consumer at the point of purchase, thereby enabling the consumer to make an informed choice about their alcohol consumption. The Regulations endeavour to ensure that all consumers, including consumers of poured alcohol products have equal access to the prescribed health warnings and information.

### **Date of enactment**

The labelling provision will come into operation on 22 May 2026.

### **Penalties**

For failure to comply with the labelling requirements and the requirement relating to the provision of a document to accompany a reusable container-

On summary conviction, a person shall be liable to a class A fine, up to a maximum of €5000 or up to 6 months imprisonment or both.

On conviction on indictment, a person shall be liable to a fine of up to €100,000 or up to 2 years imprisonment or both.

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For failure to comply with the requirements related to the notice in a licensed premises, the online sales of alcohol and for a license-holder or his employee, when requested by a person

in the licensed premises, to furnish a document with the required information relating to the grams and kilojoules and kilocalories-

On summary conviction, a person shall be liable to a class A fine, up to a maximum of €5000 or up to 6 months imprisonment or both.

## Q & A

Q. 1 What products does the labelling law apply to?

A. Section 12 of the Public Health (Alcohol) Act 2018 and the Public Health (Alcohol) (Labelling) Regulations 2023 apply to all alcohol products as defined by the Finance Act 2003 which includes vintage, specialized, craft or any other alcohol product as defined by the Act (see link: <https://www.irishstatutebook.ie/eli/2003/act/3/section/73>)

The following list sets out some but not all of the alcohol products under the Finance Act:

**“alcohol product”** means beer, wine, other fermented beverage, spirits or intermediate beverage;

**“beer” - means exceeding 0.5% vol;** [made from malt]

**“wine”- means exceeding 1.2% vol** and not exceeding 15% vol, (or still wine produced without enrichment, not exceeding 18% vol); [fermented grapes]

**“spirits” - means** any [distilled] product which **exceeds 1.2% vol** and any beverage exceeding 22% vol

**“cider and perry” – means exceeding 1.2% vol** but not exceeding 15% vol; [fermented apple or pear]

Q. 2 Who is responsible for the labelling of an alcohol product?

A. Any person who sells an alcohol product within the State without the required warnings and information can be prosecuted. The range of persons who may be prosecuted include manufacturers, wholesalers and retailers.

Q. 3 Is it an offence to import for sale in the State an alcohol product which does not bear the required information and warnings?

A. No. However, a person who imports an alcohol product which does not have the required health warnings and health information on the label and sells the product, within the State, without the required health warnings and health information on the label may be prosecuted.

Q. 4 Is it an offence to export an alcohol product outside the State without the prescribed warnings and information?

A. No. It is not an offence to export an alcohol product outside the State without the prescribed warnings and information. It is an offence only if the product is sold in the State.

Q. 5 Does the labelling law apply to alcohol products offered for sale in duty free/tax free shops to travellers departing the State?

A. No. The labelling legislation does not apply to the sale of alcohol products in duty free/tax free shops to those departing the State.

Q. 6 Does the requirement for a notice in a licensed premises apply in restaurants/pubs etc. and off-licenses?

A. The requirement for a notice in a licensed premises applies to all licensed premises, both on-license and off-licence within the State.

Q. 7 How will the legislation apply to alcohol beverages not sold in a labelled container e.g. dispensed in a glass as in the case of pints of beer, glasses of wine, measures of spirits etc.?

A. Under Subsection 8 of Section 12 of the Public Health (Alcohol) Act 2018, it is 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;

“the quantity in grams of alcohol of each quantity, measure or unit of every alcohol product that is for sale in the licensed premises concerned, and

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.”

Q. 8 Does the labelling legislation apply to alcohol products before 22 May 2026?

A. From 22 May 2026, the sale of alcohol products within the State must be compliant with the labelling law.

### **Contact Details**

For further information or enquiries regarding enforcement or to make a complaint please contact the HSE at [ehs.alcoholunit@hse.ie](mailto:ehs.alcoholunit@hse.ie).

For further information regarding the Public Health (Alcohol) Act please contact the Tobacco and Alcohol Control Unit of the Department of Health at [Tobacco and Alcohol Control Unit@health.gov.ie](mailto:Tobacco_and_Alcohol_Control_Unit@health.gov.ie)