



Department  
for Environment  
Food & Rural Affairs

# Consultation on changes to Legislation relating to Alcoholic Drinks in Great Britain

Consultation document

November 2022

This document is also available in Welsh



Llywodraeth Cymru  
Welsh Government



**The Scottish  
Government**  
Riaghaltas na h-Alba

We are the Department for Environment, Food and Rural Affairs. We're responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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## Contents

Foreword.....	4
Summary .....	4
Background and proposals .....	5
Alcohol content for wine.....	5
Wine labelling for multiple grape varieties.....	5
Positioning of the term 'alc/vol' for all alcoholic drink products .....	6
Legislative process .....	7
Timing and duration of the consultation .....	7

# Foreword

The United Kingdom is one of the world's largest producers, exporters and importers of alcoholic drinks. We are the largest spirit drinks exporter in the world: this includes more exports of whisky and gin than any other nation. We are also the world's second largest importer of wine with a growing domestic industry. Supporting the wine industry is a priority for both the economy and jobs.

The Government of the United Kingdom is working to support the interests of the alcoholic drinks industry and consumers, both in respect of regulatory reform, but also by securing ambitious trade agreements with some of our biggest international trading partners.

This consultation is seeking your views on amendments to alcohol law that will help to support these objectives.

## Summary

[The UK signed a free trade agreement with New Zealand](#) on 28<sup>th</sup> February 2022 ('the UK-NZ FTA'). Annex 7A to the Agreement concerns wine and distilled spirits. To implement the agreement, the United Kingdom will make three minor changes to domestic legislation on how wine and alcoholic drinks can be described and marketed on labels. These changes allow producers and sellers more flexibility in the information they choose to include on alcoholic drink labels and will be optional for producers to adopt.

This consultation seeks your views on the likely impact of three changes needed to implement the UK-NZ FTA:

- (a) first, the UK Government proposes that wine products should be allowed to show alcoholic strength to one decimal place;
- (b) second, the UK Government proposes that when several grape varieties are used in the production of a blended wine and are shown on the label, the named varieties must total at least 95% of the volume of the wine;
- (c) finally, the UK Government proposes that the term 'alc/vol' may appear directly after the alcohol content figure displayed on the label of any alcoholic beverage.

The UK Government, Welsh Government and Scottish Government are undertaking this consultation in relation to amendments to their respective legislation to update the approach to the amendment to alcohol labelling in Great Britain. Marketing standards are a devolved matter. The Scottish Government and Welsh Government will amend legislation for their own territories.

Northern Ireland is bound by the Northern Ireland Protocol. This means that the following EU Regulations continue to apply in Northern Ireland: Regulation (EU) No 1169/2011 of the European Parliament and of the Council, and Commission Delegated Regulation 2019/33 (EU) supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council. Those EU Regulations have effect in Northern Ireland as they do in the EU, and as a result Northern Ireland cannot amend its alcohol labelling regulations. All our intended changes are deregulatory, which will ensure that businesses can still use a label which is compatible for both markets in Great Britain and Northern Ireland. We therefore do not anticipate that trade will be disrupted.

## Background and proposals

### Alcohol content for wine

Article 44 of retained Commission Delegated Regulation (EU) No 2019/33 (Actual Alcohol Strength) requires the alcoholic content of wine to be shown in whole or whole and half units. For example, wine can be marketed at 12% or 12.5%.

We intend to amend Article 44 in a way that will also allow wine to be marketed to a tenth of a percentage unit, for example 12.2%, in appropriate cases. This will bring the marketing of wine alcohol content in line with the labelling requirements for other alcoholic beverages. In addition, this will provide producers with the option to label alcohol content for consumers with greater accuracy.

Subject to compliance with tolerance provisions that currently apply, our proposals will not affect producers' ability to indicate the alcohol content of wine marketed in the UK to the nearest whole or half unit as is currently permitted.

This change will address the requirement set out in paragraph 12 of Section A (wine) of Annex 7A to the UK-NZ FTA.

**Q1. What impact, if any, will the amendments to alcohol content labelling for wine have on the United Kingdom wine market or on consumers?**

### Wine labelling for multiple grape varieties

Article 50(1) of retained Commission Delegated Regulation (EU) No 2019/33 sets out the rules concerning the labelling of grape vine varieties for wine. The rules state that when more than one grape variety is shown, these varieties should account for 100% of the wine

in the bottle, meaning that all varieties must be shown on the label. The rules also require that where a single grape variety is shown on the label, that variety should account for at least 85% of the wine.

We intend to amend the rules on showing multiple grape varieties on the label. In future, the varieties listed on the label will have to make up a minimum of 95% of the wine rather than the full 100%. As a result, 5% of the wine will be able to come from grape varieties not shown on the label.

We understand that these changes could benefit United Kingdom producers: it may not be possible or indeed desirable to show a large number of varieties on the wine label, especially if these make up only a very small percentage of the final product. This change also reflects current winemaking practices in New Zealand and will address the requirement set out in paragraph 14 of Section A (Wine) of Annex 7a to the UK-NZ FTA.

**Q2. What impact, if any, will the amendments to multiple grape variety labelling have on the United Kingdom wine market or on consumers?**

## Positioning of the term 'alc/vol' for all alcoholic drink products

Annex 12 of retained Regulation (EU) No 1169/2011 on the provision of food information to consumers (alcoholic strength) states that where the numerical alcohol content of an alcoholic drink is displayed on the label or marketing material, the term 'alc' must precede the figure: for example, 'alc 12.5% vol'.

For wine, Annex 44 of Commission Delegated Regulation (EU) 2019/33 titled *Actual Alcohol Strength* states that where the numerical alcohol content of a drink is displayed on the label or marketing material, it can only be preceded by the terms 'actual alcoholic strength', 'actual alcohol' or 'alc'.

We intend to amend both regulations to allow the 'alc/vol' term to appear after the alcoholic content figure: for example, '12.5% alc/vol'. This option will reduce the need for relabelling products placed on the UK or New Zealand markets.

This change will address the requirement set out in paragraph 7 of Section B (distilled spirits) of Annex 7A to the UK-NZ FTA.

**Q3. What impact, if any, will the amendments to alcohol content labelling have on the United Kingdom alcoholic drinks market or on consumers?**

## Legislative process

Defra proposes to implement the changes to alcohol content labelling in England through secondary legislation made under the powers conferred by section 16 of the Food Safety Act 1990 (Food Safety and Consumer Protection) and section 37 of the Agriculture Act 2020 (Marketing Standards). Changes to multiple grape variety labelling will also be made under section 37 of the Agriculture Act.

The Scottish Government proposes to implement the changes in relation to Scotland through powers conferred by section 16 of the Food Safety Act 1990 and section 9 of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020.

The Welsh Government proposes to implement the changes in relation to Wales through powers conferred by section 16 of the Food Safety Act 1990 and paragraph 16 of Schedule 5 to the Agriculture Act 2020.

## Timing and duration of the consultation

The consultation will commence on 2<sup>nd</sup> November 2022 and will be open to responses for a period of 3 weeks. The consultation will end at one minute to midnight on 23<sup>rd</sup> November 2022. If you have any enquiries or wish to receive hard copies of the shared documents, please contact us by emailing: [Wine.Exports@defra.gov.uk](mailto:Wine.Exports@defra.gov.uk)

We will summarise all responses and place this summary on GOV.UK.

This summary will include a list of the names of organisations that responded. It will not list personal names, addresses or other contact details (for either organisational or individual responses).

We will retain a copy of responses so that the public can see them; copies will be made available on request. Also, members of the public may ask for a copy of responses under freedom of information legislation.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes. These are primarily the Environmental Information Regulations 2004 (EIR), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). We have obligations, mainly under the EIR, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

If you want the information that you provide to be treated as confidential, please be aware that public authorities are bound by the Freedom of Information Act and may therefore be

obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the UK Government.

This consultation is issued in line with the principles of consultation issued by the Cabinet Office. These can be found at:

<https://www.gov.uk/government/publications/consultation-principles-guidance>