

F. No. Stds/SP (water and beverages)/ Notification (1)/FSSAI-2019
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(Regulation division)
FDA Bhawan, Kotla Road, New Delhi-110 002

Dated, the 29th March, 2019

Subject: Direction under Section 16 (5) of Food Safety and Standards Act, 2006 regarding implementation of The Food Safety and Standards (Alcoholic Beverages Standards) Regulations, 2018.

The Food Safety and Standards (Alcoholic Beverages) Regulations, 2018 was notified on 19.03.2018. As per this notification, a transition period up to 1st April, 2019 was given to the Food Business Operators to comply with these regulations. In this regard, representations which were received from various stakeholders in respect of the difficulties in complying with certain specific provisions of the above regulations were discussed in the Scientific panel on Water and Beverages and also in the meeting with Excise Commissioners and Food safety commissioners of all States/ UTs. Based on the outcome of these meetings following decision have been made.

- 9
- (i) The Food Safety and Standards (Alcoholic Beverages) Regulations, 2018 will be implemented with effect from 1st April, 2019, except the parameter for yeast in various categories of beer, and with the modification of certain specific provisions as mentioned in the Annexure-1. These modifications may be incorporated in the regulations after following due notification process
 - (ii) Food Business Operators (FBOs) may continue manufacturing, importing, packing and distributing of craft beer and wine based beverages currently traded/ available in the market. However, for any other new innovative alcoholic beverage not covered under these regulations, FBO's are required to approach Food Authority.
 - (iii) The text of Statutory Warning in the square box as stipulated in the regulation 5.12 should be kept uniform across the country. However, the language of the same as stipulated in the said regulation shall be printed in English and/ or one or more local or regional language, as prescribed by the State government.
 - (iv) A time period of 6 months is allowed for use of old unused labels and printed cans. The same as well as alcoholic beverages manufactured prior to 1st April, 2019 can be sold in the market up to 31st March 2020 or till the finalisation of the amendment regulations incorporating modification mentioned at para (i), whichever is later.

(v) Levy of fee charged for registration of new/ change in label as required under the Excise Act, may be waived off on one-time basis by the respective State/ UT Government.

2. This issues with the approval of the Competent Authority in exercise of the power vested with Food Authority under Section 16(5) of Food Safety and Standards Act, 2006.



(Pawan Agarwal)

Chief Executive Officer, FSSAI

To

1. All State Food Safety Commissioner/Excise Commissioners.

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. All Directors, FSSAI
4. Department of Excise of all State/UT

Annexure-1

- 1) **Sub Regulation 1.3.2:** "The tolerance limit for ethyl alcohol content for upto 20% abv shall be ± 0.3 (-0.5 for upto 90 ml pet bottle), and for more than 20% abv it shall be ± 1.0 (-1.5 for upto 90 ml pet bottle) of the declared strength. In case of wine the tolerance limit shall be ± 0.5 ."
- 2) **Sub Regulation 1.3.9:** Low alcoholic beverages shall be defined as Alcoholic beverage containing alcohol not more than 8.0% abv. Low Alcoholic beverages, other than wine and beer shall conform to the following requirements:

Requirements for Low Alcoholic Beverages other than wine and beer

| S.No. (1) | Characteristics (2) | Requirements (3) |
|--------------|--|---------------------|
| 1. | Ethyl alcohol content at 20 degree C, per cent by volume | 0.5 to 8.0 |
| 2. | Residue on evaporation, per cent. (g/liter), Max. | 25.0 |
| 3. | Total acids as tartaric acid, per cent. (m/v), Max. | 1.0 |
| 4. | Methyl alcohol (expressed in terms of g/100 l of absolute alcohol), Max. | 25.0 |
| 5. | Sugar, per cent. (w/v), Max. | 20.0 |
| 6. | pH | 2.0 to 5.0 |
| 7. | Copper (mg/l), Max. | 1.0 |
| 8. | Iron (as Fe) mg/l, Max. | 5.0 |
| 9. | Lead (mg/l), Max. | 0.2 |
| 10. | Arsenic (mg/l), Max. | 0.25 |
| 11. | Cadmium (mg/l), Max. | 0.1 " |

- 3) **Brandy:** A new category 'Indian Brandy' is inserted under Brandy which shall be made either from neutral spirit or rectified spirit or a mixture of both. Such product shall be labelled as 'Indian Brandy' followed by a statement under bracket as '(Made from molasses spirit)' with a font size that is easily readable. The font size of the words 'Indian' and 'Brandy' shall be same."
- 4) **Sub Regulation 2.8.1(i):** In the definition of single malt whiskey, the term "single grain whiskey" shall be inserted. Single malt or Single grain whiskey and be defined as "a distillate obtained from fermented mash that uses one particular malted barley or malted grain, respectively, distilled in pot still only, and produced in a single distillery."
- 5) **Sub Regulation 3.1.1.2(i):** Dry wine may be defined as "Dry wine is a wine that contains upto 0.9% sugar."
- 6) **Sub Regulation 3.1.2.2(ii) and (iii):** the tolerance limit shall be read as 0.3%.

- 7) **Sub Regulation 3.1.5:**The term 'Palm Wine' be revised as 'Palm Wine/Toddy'.
- 8) **Sub Regulation 3.2 (iii):** the limit of water be revised as 'not more than 70 ml per kg of grape or fruit' along with following proviso:
- “(a) necessary to incorporate any permitted additive and processing aid
 - (b) necessary to facilitate fermentation; or
 - (c) incidental to the winemaking process.

Incidental water is intended to cover small amounts of water which may be present from production processes such as residual water remaining in tanks and pipes after washing and cleaning and hosing out bins to force the last of the grapes into the crushers, where the water used is the minimum needed to perform the technological purpose (i.e. using good manufacturing practices). Water is also permitted to include the addition of permitted processing aids and food additives added as an aqueous solution. The sub-clause 3.2 (iii) does not contain an express permission for water added to dilute high sugar musts to limit the occurrence of "stuck" fermentations."

- 9) **Sub Regulation 5.1.1:**The Pot distilled alcohol be labelled as 'Pot Still or Pot Still Distilled or Pot Distilled' on the package."
- 10) **Regulation 5.3:** Alcoholic beverages with Geographical Indications (GI) tag registered under the Geographical Indications of Goods (Registration and Protection) Act, 1999 shall meet the country specific regulations for such GI products of the country of origin. For such products safety requirements such as heavy metals and microbiological requirements as specified under these regulations and other regulations notified under the Act shall be applicable. Labelling requirements as given under these regulations and other regulations notified under the Act shall also apply.
- 11) **Sub Regulation 5.9.1 (i):** Instead of exact amount of sugar, range of sugar as specified under these regulations may be declared.
- 12) **Regulation 5.12:**Statutory warning for packs upto 200 ml shall be 1.5 mm minimum and for above 200 ml, it shall not be less than 3 mm."
- 13) **TABLE-1, serial no. 5, column (2):** "Absolute distilled alcohol"be read as "absolute alcohol".