

Voluntary Report – Voluntary - Public Distribution

Date: December 23,2020

Report Number: IN2020-0195

Report Name: FSSAI Publishes Regulations for Alcoholic Beverages

Country: India

Post: Mumbai

Report Category: Agricultural Situation, Beverages, Sanitary/Phytosanitary/Food Safety, Country/Regional FTA's, Trade Policy Incident Report, Trade Policy Monitoring, WTO Notifications, Wine, Exporter Guide

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Report Highlights:

On December 18, 2020, the Government of India's Food Safety and Standards Authority of India (FSSAI) issued new regulations and standards for alcoholic beverages. These regulations include updated requirements for low alcoholic beverages including craft beers, alcohol-free beer and wine-based beverages, geographical indications, and labelling requirements for wine. The regulations are effective immediately, but industry stakeholders will have until July 1, 2021 to comply with the provisions.

General Information

On December 18, 2020, the Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) published the Food Safety and Standards (Alcoholic Beverages) First Amendment Regulations, 2020, in the official gazette. These regulations are effective immediately (from the date of publication in the gazette), but industry stakeholders will have until July 1, 2021 to comply with the provisions. GOI had invited comments from WTO members last year on some of the new regulations when they were initially proposed on July 5, 2019.

The regulations detail requirements for low alcoholic beverages including craft beers, alcohol free beer and wine-based beverages, geographical indications, and labeling requirements for wine.

Details of Notification:

- Date of Publication on FSSAI website: December 21, 2020 - [Food Safety and Standards \(Alcoholic Beverages\) First Amendment Regulations, 2020](#)

Agency in Charge: Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, GOI.

Products affected: Alcoholic Beverages

For more details, please refer to the following GAIN reports -

- [IN2019-2502 - Implementation of Alcoholic Beverages Regulations 2018](#)
- [IN2019-2440 - FSSAI Publishes FAQs on Alcoholic Beverages Regulation New Delhi India 4-16-2019](#)
- [IN2019-2449 – GOI Invites Comments on Draft Alcoholic Beverages Regulations New Delhi India 8-1-2019](#)
- [IN2020-0082 - FSSAI Publishes Standards for Alcohol-Free Beer_Mumbai_India_07-06-2020](#)

The full text of the notification is pasted below.

MINISTRY OF HEALTH AND FAMILY WELFARE
(Food Safety and Standards Authority of India)

NOTIFICATION

New Delhi, the 18th December, 2020

F. No. Stds/SP(water and Beverages)/Notification(1)/FSSAI-2019.—Whereas the draft of certain regulations, namely, the Food Safety and Standards (Alcoholic Beverages) Amendment Regulations, 2019, was published vide notification of the Food Safety and Standards Authority of India number No. Stds/SP(water and Beverages)/Notification(1)/FSSAI-2019, dated the 5th July, 2019, in the Gazette of India, Extraordinary, Part III, section 4 as required under sub-section (1) of section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), inviting objections and suggestions from persons likely to be affected thereby, within a period of thirty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the said official Gazette were made available to the public on the 15th July, 2019;

And whereas the objections and suggestions received from the public in respect of the said draft regulations have been considered by the Food Safety and Standards Authority of India;

Now, therefore, in exercise of the powers conferred by clause (v) of sub-section (2) of section 92 of the said Act, the Food Safety and Standards Authority of India hereby makes the following regulations further to amend the Food Safety and Standards (Alcoholic Beverages) Regulations, 2018, namely: -

1. (1) These regulations may be called the Food Safety and Standards (Alcoholic Beverages) First Amendment Regulations, 2020.

- (2) They shall come into force on the date of their publication in the Official Gazette and Food Business Operator shall comply with all the provisions of these regulations by 1st July, 2021.
2. In the Food Safety and Standards (Alcoholic Beverages) Regulations, 2018, -
- (1). In part-1,
- (i) in regulation 1.2.3, after the words “be of agricultural origin” , the following proviso shall be inserted, namely,-
- “provided that this limit shall be zero in case of Alcohol free beer.”;
- (ii) in regulation 1.3, -
- (a) for sub-regulation 1.3.2, the following shall be substituted, namely, -
- “1.3.2 The tolerance limit for ethyl alcohol content for up to 20% abv shall be ± 0.3 per cent (-0.5 per cent for up to 90 ml per bottle) and for more than 20% abv it shall be ± 1.0 per cent (-1.5 per cent for up to 90 ml per bottle) of the declared strength. In case of wine the tolerance limit shall be ± 0.5 .”;
- (b) for sub-regulation 1.3.9, for the words and figures “Alcoholic beverage containing not more than 8.0 per cent. abv may be called as low alcoholic beverage, and shall conform to the requirements of table 1 except for residue on evaporation.” The following shall be substituted, namely, -
- “Alcoholic beverage containing more than 0.5 per cent abv but not more than 8.0 per cent. abv may be called as low alcoholic beverage. Low Alcoholic beverages, other than wine and beer shall conform to the requirements of Table-4.”;
- (2) in Part-2,-
- (i) in regulation 2.1,-
- (a) in 2.1.1, in para ‘1’ , after the words “formed during fermentation”,the following shall be inserted, namely, -
- “and aging”;
- (b) in 2.1.1, in para ‘2’ after the words “the word ‘Brandy’ ”, the following shall be inserted, namely, -
- “(example Apple Brandy, Plum Brandy)”;
- (c) after sub-regulation 2.1.2, the following shall be inserted, namely, -
- “2.1.3 Indian Brandy: Indian brandy shall be made either from neutral spirit or rectified spirit or a mixture of both. On the label, the name 'Indian Brandy' shall be followed by a statement within brackets as 'made from molasses spirit/grain spirit/neutral spirit' with a font size that is easily readable. The font size of the words 'Indian' and 'Brandy' shall be same.”;
- (ii) in regulation 2.8, in sub-regulation 2.8.1, for clause (i) the following shall be substituted, namely, -
- “(i) Single malt or Single grain whisky: Single malt or Single grain whisky is 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.”;
- (3) in Part-3,
- (i) in regulation 3.1,
- (a) in sub-regulation 3.1.1, for the words “Table or grape wine may be of the following types”, the following shall be substituted, namely, -
- “Table wine may be of following types.”;
- (b) in sub-regulation 3.1.1, in clause 3.1.1.2, for item (i), the following shall be substituted, namely, -
- “(i) Dry wine: Dry wine is a wine that contains upto 0.9 per cent. sugar.”;
- (c) in sub-regulation 3.1.2, for clause 3.1.2.2, the following shall be substituted, namely, -
- “3.1.2.2 Sparkling : Sparkling wine has a carbon dioxide content of minimum 7.0 g/l or 3.5 bar pressure at 20°C resulting solely from either the primary or the secondary fermentation of the wine within a closed container, tank or bottle. Based on the sugar content the sparkling wines maybe of the following types:
- i) Brut : It has sugar content below 1.2 per cent.

- ii) Extra-Dry : It contains more than 1.2 up to 1.7 per cent. sugar with a tolerance of 0.3 per cent.
- iii) Dry : It contains more than 1.7 up to 3.2 per cent. sugar with a tolerance of 0.3 per cent.
- iv) Semi-Dry : It is a wine which contains more than 3.2 up to 5.0 per cent. sugar.
- v) Sweet : It contains more than 5.0 per cent. sugar.”;

(d) for sub-regulation 3.1.3, the following shall be substituted, namely, -

“**3.1.3 Fortified wine:** Fortified wine is a wine with high alcohol content achieved by the addition of alcohol (brandy or wine spirits or neutral spirit of agricultural origin) provided a minimum 7.0 per cent comes from fermentation of grapes, grape must and fruits and used as aperitif or dessert wine. Fortified wine may be red or white, dry or sweet.

Fortified wines are of following types:

3.1.3.1 Sherry: is commonly a white wine fermented to dryness followed by the addition of alcohol (brandy or wine spirits) to stabilize during maturation in contact with air.

3.1.3.2 Aromatized wine is a beverage obtained from at least 75% by volume of wine, which has undergone an aromatisation process; to which ethyl alcohol of viticultural origin and/or a wine distillate and/or alcohol of agricultural origin could have been added; which could have undergone a sweetening and/or colouring and/or undergone one or more of other specific oenological practices applicable to this beverage; with an actual alcoholic strength by volume varying between 14.5% minimum and 22%.”;

(e) in sub-regulation 3.1.4, after the words “wine produced from fruit other than grapes”, the following shall be inserted, namely, -

“(should be prefixed with the name of the fruit. Example wine such as plum wine, apricot wine, pear wine)”;

(f) in sub-regulation 3.1.4, item 3.1.4.3 shall be omitted.

(g) in sub-regulation 3.1.5, for clause 3.1.5.1 the following shall be substituted, namely, -

“3.1.5.1 Palm wine/Toddy: Palm wine/Toddy is a wine prepared from sap of palm trees and coconut palms.”

(h) after the sub-regulation 3.1.5, the following shall be inserted, namely, -

“3.1.6 Wine Based Beverages: Wine-based beverage is a beverage obtained from at least 50 by volume of wine, which could have undergone the treatments such as sweetening, colouring, addition of aromatising substances or preparations, addition of food-related products, including water, for which the actual alcoholic strength by volume is equal to or above 3.5 vol. and below 14.5 vol., and for which the alcoholic component derives exclusively from the wine or special wine used, except for doses used only to dilute aromatic substances, or colorants, or any other approved substance.”;

(ii) in regulation 3.2, for clause (iii), the following shall be substituted, namely, -

“(iii) Water added in preparation of wine shall not be more than 70 ml per kg of grape or fruit:

- (a) necessary to incorporate any permitted additive and processing aid
- (b) necessary to facilitate fermentation; or
- (c) incidental to the winemaking process.

Provided that water may be added to wine to facilitate fermentation if the water is added to dilute the high sugar grape must prior to fermentation and does not dilute the must below 13.5 degree brix.”;

(4). in Part-4,-

(a) in regulation 4.1 related to “Beer”, in para ‘2’, after the clause (ii) the following shall be inserted, namely, -

“(iii) Alcohol free beer- Abv 0.0 (for other parameters, alcohol free beer shall comply with the limits specified for regular beer).”;

(b) after the regulation 4.2, the following regulation shall be inserted, namely, -

“4.2 (1) Craft beer is made in a micro-brewery/ pub-brewery, and may be aromatized with suitable food ingredients. It may or may not be filtered and pasteurized, and may be sold in casks, kegs, bottles, or cans”;

(5) in Part-5,-

(a) in regulation 5.1, the following sub-regulation shall be inserted, namely, -

“5.1.1 The Pot distilled alcohol shall be labelled as ‘Pot- Still/Pot -Still Distilled/Pot- Distilled’ on the package.”;

(b) for the regulation 5.3, the following regulation shall be substituted, namely, -

“5.3 Geographical indicators (GI) or names may be used on the label solely for the products originating from that geographical region.

Such products shall be registered under the Geographical Indications of Goods (Registration and Protection) Act, 1999 and meet the country specific regulations for such GI products of the country of origin.

Further, such products shall conform to the limits of heavy metals and microbiological requirements as specified under these regulations and other regulations notified under the Act. Labelling requirements as given under these regulations and other regulations notified under the Act shall also apply.”;

(c) for regulation 5.9, the following shall be substituted, namely, -

“Labelling of Wine

5.9.1 in addition to requirements mentioned in sub-regulations 5.1 to 5.6, the label on wine shall also:

- i) Indicate the origin (country or state) of wine and declare the range of sugar.
- ii) Declare the generic name of variety of grape or fruit used in descending order of quantity or raw material used, geographic origin, and vintage year, provided such claims are made.
- iii) Declare the name of residues of preservatives or additives present as such, or in their modified forms, in the final product.
- iv) Declare the name of the place, or region, sub-region or appellation, if 75 per cent the grapes come from that place.
- v) Carry the name of a grape variety, the wine is made from at least 75 per cent from that grape variety.
- vi) Carry a date of vintage, if at least 85 per cent of the wine comes from that vintage.”;

(d) in regulation 5.12, for the words and figures “Size of statutory warning shall not be less than 3 mm.” the following shall be substituted, namely, -

“Size of statutory warning shall not be less than 1.5 mm for pack size of upto200ml and for pack size above 200 ml, size of the warning shall not be less than 3 mm.”;

(6) in TABLE-1,-

(i) in serial no. 5, in column (2), for the words and figures “expressed as g/100 l of distilled absolute alcohol”, the following shall be substituted, namely, -

“expressed as g/100 l of absolute alcohol”

(ii) in the note for the words, figure and parenthesis “For flavoured Rum, flavoured Vodka and for low alcoholic beverages the maximum limit shall be 25 per cent (m/v).”, the following shall be substituted, namely, -

“For flavoured/premix rum, vodka, whisky, gin and for low alcoholic beverages the maximum limit of residue on evaporation shall be 25 per cent (m/v).”;

(7) in TABLE-2,-

(i) in the column (3) and (4), in the heading, for the words “Table or Grape Wine”, the following shall be substituted, namely, -

“Table Wine”

(ii) after the existing entry “ “-” means Not Applicable;” the following entry shall be inserted, namely, -

“Wine based beverages shall comply with the standards of table wine in accordance with their ethyl alcohol content.”;

(8) For TABLE-3, the following shall be substituted, namely, -

“TABLE-3

[See sub-regulation 4.1]

| Sl. No. | Characteristics | Beer | | Draught Beer | | Craft beer |
|---------|--|-------------------------|-------------------------|-------------------------|-------------------------|------------|
| | | Regular | Strong | Regular | Strong | Regular |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1. | Ethyl alcohol content at 20° C, per cent by volume | More than 0.5 up to 5.0 | More than 5.0 up to 8.0 | More than 0.5 up to 5.0 | More than 5.0 up to 8.0 | Up to 5.0 |
| 2. | pH | 3.3-4.8 | 3.3-4.8 | 3.3 - 4.8 | 3.3 - 4.8 | 3.3-4.8 |
| 3. | Carbon dioxide, v/v, <i>Min</i> | 1.8-3.6 | 1.8-3.6 | 1.8-3.6 | 1.8-3.6 | 1.8-3.6 |
| 4. | Methyl alcohol mg/l, <i>Max</i> | 50.0 | 50.0 | 50.0 | 50.0 | 50.0 |
| 5. | Copper (mg/l), <i>Max</i> | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |
| 6. | Iron (as Fe) mg/l, <i>Max</i> | 5.0 | 5.0 | 5.0 | 5.0 | 5.0 |
| 7. | Lead (mg/l), <i>Max</i> | 0.2 | 0.2 | 0.2 | 0.2 | 0.2 |
| 8. | Arsenic (mg/l), <i>Max</i> | 0.25 | 0.25 | 0.25 | 0.25 | 0.25 |
| 9. | Cadmium (mg/l), <i>Max</i> | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| 10. | Total plate count, cfu per ml | <10 | <10 | <100 | <100 | <100 |
| 11. | Coliform count, cfu per ml | Absent | Absent | Absent | Absent | Absent |
| 12. | Wild Yeast and moulds, cfu per ml, max | Absent | Absent | Absent | Absent | Absent |
| 13. | Brewer's yeast, ** cfu per ml,max | Absent | Absent | * | * | * |

“*” means limit not prescribed.

“***” does not apply to secondary fermented beer, which shall be declared on the label as secondary fermented beer.”;

(9) after TABLE-3, the following Table shall be inserted, namely, -

“TABLE-4

[See sub-regulation 1.3.9]

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. (m/v), 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 ” |

ARUN SINGHAL, Chief Executive Officer

[ADVT.-III/4/Exty./414/2020-21]

Note : The principal regulation were published in the Gazette of India, Extraordinary Part III, Section 4, *vide* notification number F. No. 2/SA-24/2009(1)/FSSAI, dated 19th March, 2018.

Attachments:

No Attachments.