



Department
of Health &
Social Care

Low Alcohol Descriptors

A consultation on the use of low alcohol descriptors

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Low Alcohol Descriptors

A paper for consultation on the use of low alcohol descriptors

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Department of Health and Social Care

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Executive Summary

The Food Labelling Regulations (FLR) 1996 set out in law rules for how low alcohol drinks (those of 1.2% alcohol by volume, ABV, or less) may be described. These rules on the use of low alcohol descriptors aim to protect the public and inform consumers. The regulations are due to expire on 13 December 2018.

The Government is consulting on how best to continue to communicate information to the public about low alcohol drinks, so that adults can make informed choices when they purchase drinks, including alcohol. The sale of lower strength drinks, as an option for consumers helps encourage responsible drinking.

The Government also wants to use this consultation to hear views on whether we should introduce new descriptors for alcoholic drinks above 1.2% ABV to help consumers make an informed choice and to promote lower strength drinks.

The Government believes any future low alcohol descriptors could be introduced through guidance rather than legislation.

This consultation therefore provides an opportunity to provide feedback on the proposals to use guidance rather than legislation, views on the current low alcohol descriptors, and on whether to extend the range of descriptors to drinks above 1.2% ABV.

1. Introduction

The Government policy on low alcohol descriptors

- 1.1. The Food Labelling Regulations (FLR) 1996 set out in law rules for how low alcohol drinks (those of 1.2% alcohol by volume, ABV, or less) may be described. These rules on the use of low alcohol descriptors aim to protect the public and inform consumers. The regulations are due to expire on 13 December 2018.
- 1.2. The Government is consulting on how best to continue to communicate information to the public about low alcohol products, so that adults can make informed choices when they purchase drinks, including alcohol. The sale of lower strength drinks, as an option for consumers helps encourage responsible drinking.

Low alcohol descriptors contained in the Food Labelling Regulations (FLR) 1996

- 1.3. The Food Labelling Regulations (FLR) 1996 were introduced to protect and inform consumers and provide clarity to the alcohol industry on the labelling of low alcohol drinks. These regulations contain conditions for the use of terms describing products with reduced, or no alcohol and ensure that product labels are consistent and not misleading in relation to their low alcohol content. Use of the terms is not compulsory, but, if they are used, the products must meet the conditions set out in the regulations. The relevant parts of the FLR 1996 will be revoked on 13 December 2018 by the Food Information Regulations 2014, following a 4-year sunset clause.

Guidance rather than further legislation

- 1.4. Rather than continue with regulation to deliver its policy aim beyond December 2018, the Government believes that such measures could be achieved through producing guidance rather than having to legislate. This could result in a more flexible and less burdensome approach.

Popularity of low alcohol consumption

- 1.5. The popularity and sales of low and non-alcoholic drinks is on the rise with a 20.5% increase in sales over the past 12 months¹. The market and product range is diversifying: beers, lagers, stouts, wines and even some mixed spirits are available, with some retailers dedicating shop aisles in supermarkets to stock such products. Organisations such as Club Soda are helping educate the public and retailers to promote non-alcoholic alternatives.
- 1.6. Low alcoholic products may have fewer calories than regular strength alcohol drinks and could help reduce calorie intake as part of a healthy diet. The switch to lower and non-alcoholic beverages may have a positive effect in helping achieve public health gains in reducing UK alcohol consumption and help support people to move towards drinking less than 14 units a week, as outlined in the UK Chief Medical Officers' Low Risk Drinking guidelines published in 2016.

The Advertising Standards Authority

- 1.7. The Advertising Standards Authority (ASA) plays an important role in providing guidance on low alcohol descriptors to protect the public. The ASA is the established means for regulating advertising in all media (including marketers' own websites and social media); the ASA enforces rules authored by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).
- 1.8. The CAP (non-broadcast) and BCAP (broadcast) Codes include detailed rules relating to the advertising of alcoholic drinks, and they define alcoholic (over 0.5%) and low-alcohol (0.5 – 1.2%) drinks according to existing labelling regulations.

¹ The Grocer online: Moderation on trend as sales of low and no-alcohol beer soars. 24 August 2017. <https://www.thegrocer.co.uk/stores/consumer-trends/moderation-on-trend-as-sales-of-low-and-no-alcohol-beer-soars/556762.article>

- 1.9. The rules prevent irresponsible marketing of alcoholic drinks, for example by preventing depictions of immoderate consumption, and use labelling regulations to define which products will be captured by those rules.
- 1.10. The rules include some exceptions for low-alcohol drinks. For example, the rule relating to factual statements and comparisons of alcoholic strength prevents advertisements from implying an alcoholic beverage is to be preferred because of its alcoholic strength – unless it is a low-alcohol drink.
- 1.11. The Codes also include a rule which transposes the Nutrition and Health Claim Regulations 2006 (NHCR)² and prevents advertisements from making nutrition claims for alcoholic drinks, other than those allowed under NHCR, which are "low-alcohol", "reduced alcohol" and "reduced energy".

Soft drinks industry levy

- 1.12. The Government is introducing a levy on soft drinks in April 2018 to help contribute to the Government's plans to reduce childhood obesity by removing added sugar from soft drinks. This is a new levy that applies to the production and importation of soft drinks containing added sugar.
- 1.13. Drinks with an ABV of up to 1.2% are included in the levy. However, the Government will make provisions to exempt certain drinks that fall within this category from the levy if it is an alcohol replacement drink, for example de-alcoholised beer or wine. When these provisions are published they may also help with policy developments on low alcohol descriptors.
- 1.14. HM Revenue and Customs also use the 1.2% ABV as the point below which drinks are exempt from certain alcohol duty.

² Regulation (EC) 1924/2006

Devolved Administrations

1.15. The use of low alcohol descriptors is a devolved matter, but the existing regulations apply in England, Scotland and Wales. Northern Ireland has its own provisions. Each country has introduced a sunset clause on the same terms as in England so each will also need to consider what to do when that takes effect. The Department of Health and Social Care in England will work with the Devolved Administrations to share the information from this consultation to consider if a UK wide agreement can be reached on this matter.

New descriptors above 1.2% ABV

1.16. The sunset clause in the Food Information Regulations 2014 allowed for a period of time for the Department of Health and Social Care to engage with stakeholders to discuss the possibility of introducing new descriptors, in particular for products with more than 1.2% ABV, with the aim of encouraging the public to move towards lower strength alcoholic drinks from the industry standard. The main focus was on proposals for beers, lagers, ciders and wines. During the course of these conversations descriptors such as “reduced” or “lower alcohol” were proposed, but there was no consensus over the ABV level at which descriptors should apply.

1.17. In addition to these events the Department also commissioned independent research on the public understanding of, and response to, the existing descriptors and potential new ones. While the research conducted to date did not provide definitive support for new descriptors, the Department is committed to the principle of increasing consumer choice, encouraging lower alcohol consumption and ensuring simplicity of information provided. Therefore, the Department wishes to hear further views about how an additional descriptor above 1.2% ABV could deliver this.

1.18. This consultation provides an opportunity for consultees to put forward further evidence which might support the introduction of descriptors for products above 1.2% ABV.

2. Introducing Guidance to Describe Low Alcohol Descriptors

- 2.1. The Government would like to continue with a set of low alcohol descriptors of 1.2% ABV, and below, beyond December 2018 through guidance rather than legislation. This section provides the rationale for this approach.
- 2.2. Government policy to reduce burdens on industry means that legislation should be seen as a last resort, once departments have demonstrated that satisfactory outcomes cannot be achieved by non-legislative approaches.
- 2.3. In line with this approach, the Government's preferred method would be to work with industry and other stakeholders to produce guidance and publish descriptors that should be used to describe low alcohol drinks. It believes that this could be as effective as the current regulations and also provide more flexibility to respond to possible future policy changes.
- 2.4. The Government is mindful however, that the low alcohol descriptors have been defined in secondary legislation since 1996. There may be concerns from the public that in the absence of legislation for descriptors the alcohol industry may create their own descriptors and apply these to a level beyond 1.2% ABV. This is a legitimate concern. However, the absence of legislation does not mean an absence of regulation. This regulatory gap is to be filled by producing guidance which we would expect the alcohol industry to adhere to and follow. To further mitigate this risk, the Government would still expect the relevant enforcement authorities to refer to the guidance when assessing whether any descriptor was misleading. Where applicable, the Government would also expect the Courts to have regard to the guidance in proceedings before them.
- 2.5. There will continue to be a legal framework around labelling of low and non-alcoholic products. In particular, it will continue to be an offence for labels to be misleading under s15 (1) of the Food Safety Act 1990. The Nutrition and Health Claims Regulation, which

is enforced in England by the Nutrition and Health Claims (England) Regulations 2007³, also requires nutrition and health claims not to be false, ambiguous or misleading.

2.6. The Government also proposes to keep the proposed guidance under review and assess its impact after a 3 year period. If the guidance is not serving its intended purpose, the Government will consider reintroducing legislation, and retains the power under The Food Safety Act 1990 to make regulations.

Question 1: Do you agree with the Government's preferred option of providing guidance working with industry and other stakeholders to describe low alcohol descriptors rather than legislate after 13 December 2018?

Yes or No? If no please provide a reason why?

³ SI 2007/2080

3. Descriptors above 1.2% ABV

Research on New Descriptors above 1.2%

3.1. The sunset clause in the Food Information Regulations 2014 allowed for a period of time for the Department of Health and Social Care to engage with stakeholders to discuss policy proposals on the possibility of introducing new descriptors for drinks with more than 1.2% ABV, with the aim of encouraging the public to move towards drinks with a lower strength than the industry standard.

3.2. The Department hosted events with alcohol industry representatives and public health officials during the autumn of 2016 to discuss proposals. The main focus was on proposals for beers, lagers, ciders and wines. Descriptors such as “reduced” or “lower alcohol” were proposed, but there was no consensus over the % ABV level at which these descriptors should apply.

3.3. In addition to these events, the Department of Health and Social Care commissioned independent research on the public understanding of, and response to, the existing descriptors and potential new ones. The research studies are:

- Study 1: Impact of low alcohol verbal descriptors on perceived strength: an experimental study⁴
- Study 2: Impact on product appeal of labelling wine and beer with (a) lower alcohol verbal descriptors and (b) % alcohol by volume: an experimental study-under review: Psychology of Addictive Behaviours (November 2017).
- Study 3: Impact of low alcohol labels on consumption: a bar lab experiment -revised manuscript under review: Health Psychology (November 2017)
- Study 4: Low alcohol and equivalent labels for changing selection and consumption of alcohol, food and tobacco products: a systematic review⁵.
- Study 5: Marketing messages accompanying online selling of low/er and regular strength wine and beer products in the UK: A content analysis⁶.

⁴ <http://onlinelibrary.wiley.com/doi/10.1111/bjhp.12273/full>

⁵ <http://bmcpublihealth.biomedcentral.com/articles/10.1186/s12889-016-3956-2>

3.4. Not all the studies are published, but the evidence received by the Department of Health and Social Care suggests that the appeal of alcohol drinks reduces with their perceived strength (Studies 1 and 2). There were no descriptors which tested particularly well in terms of their impact on appeal. There was some evidence that lower strength alcohol labelling could increase the total volume of alcohol consumed on a single drinking occasion when compared to regular strength alternatives (Study 3). There was also some evidence that the marketing of lower strength products could encourage people to extend the number of drinking occasions, e.g. drinking lower strength products at lunchtimes when previously they might not have consumed alcohol (Study 5). The latter study also noted that some consumers found it helpful to have clear labelling of a lower alcohol product.

3.5. In summary, the evidence generated is limited in quantity, but it represents a significant increase in our understanding, compared to the near absence of relevant evidence before these studies were commissioned, as highlighted in the systematic review (Study 4).

3.6. While the research conducted to date does not provide definitive support for new descriptors, the Department is committed to the principle of increasing consumer choice, encouraging lower alcohol consumption and ensuring simplicity of information provided. Therefore, the Department wishes to hear further views about how an additional descriptor above 1.2% ABV could deliver this.

Question 2: Do you have any evidence to support the case for introducing new alcoholic drink descriptors above 1.2% ABV?

Yes or No?

If Yes, please provide the descriptor name(s), research and evidence to support and at what level of % ABV they relate to.

⁶ <https://bmcpublihealth.biomedcentral.com/track/pdf/10.1186/s12889-018-5040-6?site=bmcpublihealth.biomedcentral.com>

4. Descriptors at 1.2% ABV and Below

Current Low Alcohol descriptors

4.1. The Government believes there would be advantages in providing continuity to the public and industry from using broadly the same descriptors at and below 1.2% ABV. This would provide a degree of certainty about what low alcohol products are.

4.2. The current Food Labelling Regulations (FLR) 1996 set out conditions for use of certain low alcohol descriptors. The Food Information Regulations 2014 introduced a sunset clause to revoke these parts of the FLR on the 13 December 2018. The FLR conditions for use of four low alcohol terms/claims on drinks which would normally be expected to be alcoholic (such as beer) can be summarised as follows⁷:

- Low alcohol – product must be 1.2% ABV or below;
- Non-alcoholic – cannot be used in conjunction with a name associated with an alcoholic drink except for communion or sacramental wine;
- Alcohol free – product must be 0.05% abv or below;
- De-alcoholised – product must be 0.5% abv or lower.

4.3. The four descriptors have been in use since 1996, and are widely used on low alcoholic drinks. With the rise in demand for and growth in choice of low alcoholic drinks, the Government believes there would be advantages in providing continuity to the public and industry, by keeping the existing descriptors for products of and below 1.2% ABV. This would provide a degree of certainty as to what low alcohol products are, and prevent confusion following the period at which the legislation ends.

4.4. There is however, an opportunity to consider if such descriptors still resonate with the public and industry going forward. This consultation provides an opportunity to comment

⁷ Full descriptions of descriptors contained in Schedule 8 of the FLR 1996 <http://www.legislation.gov.uk/ukxi/1996/1499/schedule/8/made>
See also as amended in the Food Information Regulations 2014 in Part 2 consequential and other minor amendments coming into force on 13 December 2014.
http://www.legislation.gov.uk/ukxi/2014/18_55/contents/made

on the four descriptors and provide views. The four are set out in detail in the following sections:

The Low Alcohol Descriptor

4.5. The following words, descriptor and conditions are set out in the FLR 1996 with regards to the description and use of the term “low alcohol”.

Words and Descriptor- *The description “low alcohol” or any other word or description which implies that the drink being described is low in alcohol.*

Conditions- *Shall not be applied to any alcoholic drink unless—*

- a) the drink has an alcoholic strength by volume of not more than 1.2 per cent, and*
- b) an indication of its maximum alcoholic strength in required form 1,2 or 3.*

4.6. Since 1996 there has been an understanding that low alcoholic products could be described as anything from 0% to 1.2% ABV. The majority of products on the shelves using the low alcohol descriptor tend to be in the range of 0.5% to 1.2% ABV. The Government welcome views around this descriptor.

Question 3: For something to be ‘low alcohol’ the amount of alcohol needs to be 1.2% or less. Do you think the Government should keep this guideline?

Yes- I think the Government should keep 1.2% as the upper limit for low alcohol

No- I think the Government should make the limit lower than 1.2% for low alcohol

I don’t know

Additional Comments

The Dealcoholised Descriptor

4.7. The following words, descriptor and conditions are set out in the FLR 1996 in regards to the description and use of the term “dealcoholised”.

Words and Descriptor- The description “dealcoholised”

Conditions- Shall not be applied to any drink, unless-

- a) the drink, being an alcoholic drink from which the alcohol has been extracted, has an alcoholic strength by volume of not more than 0.5 per cent, and
- b) the drink is marked or labelled with –
 - i) an indication of its maximum alcoholic strength in required form 1,2 or 3, or
 - ii) in an appropriate case, an indication that it contains no alcohol.

4.8. Dealcoholised is a term used when alcohol is produced through the fermentation process and then removed from the final drink to contain no more than 0.5% ABV. The descriptor tends to be used more by industry for wines rather than beers and lagers. From research the Department of Health and Social Care has received and feedback from some industry representatives “dealcoholised” does not tend to resonate well with the public as a particular descriptor.

4.9. With the rise in the low alcohol industry and product appeal to consumers, the Government welcomes views as to whether this descriptor should continue, and if not what alternatives may exist.

Question 4: Should the Government keep the existing descriptor dealcoholised?

Yes or No?

If No, do you believe another descriptor could be used in its place and if so, what should this descriptor be called?

The Non-Alcoholic Descriptor

4.10. The following words, descriptor, conditions and regulations are set out in the FLR 1996 in regards to the description and use of the term “non-alcoholic”.

Words and Descriptor-The description “non-alcoholic”.

Conditions- Shall not be used in conjunction with a name commonly associated with an alcoholic drink, except in the composite name “non-alcoholic wine” when that composite name is used in accordance with regulation 43.

Regulation 43 The word “wine”

- (1) Subject to the following provisions of this regulation, the word “wine” may be used in a composite name in the labelling or advertising of food for a drink which is not wine within the meaning given in point 1 of Part II of Annex VII to Regulation (EU) 1308/2013 .
- (2) The word “wine” shall not be used pursuant to paragraph (1) of this regulation as part of a composite name which is likely to cause confusion with wine or table wine within the meaning given in point 1 of Part II of Annex VII to Regulation (EU) 1308/2013 .
- (3) Each word that forms part of a composite name used pursuant to paragraph (1) of this regulation must appear in lettering of the same type and colour and of such a height that the composite name is clearly distinguishable from other particulars.
- (4) The composite name “non-alcoholic wine” shall not be used pursuant to paragraph (1) of this regulation, except for a drink derived from unfermented grape juice which is intended exclusively for communion or sacramental use and which is described clearly in its labelling or advertising, as the case may be, as being exclusively for such use.
- (5) When the word “wine” is used in a composite name for a drink which is derived from fruit other than grapes, that drink shall be obtained by an alcoholic fermentation of that fruit.

4.11. There are a variety of alcohol free or low alcohol drinks made from grapes on the market. It may be the case that the current conditions for the use of the descriptor “non-alcoholic” are too restrictive and may not reflect the innovation in the marketplace producing alcohol free products made with grapes, along with other ranges of other drinks such as alcohol free beers. There are possible overlaps and confusion with this descriptor and the term “alcohol free” which is described in the next section. The Government welcomes views on this descriptor.

Question 5: Do you agree the term non-alcoholic should be permitted to be used otherwise than in connection with sacramental and communion wines?

Yes or No. If No, please provide a reason why.

The Alcohol Free Descriptor

4.12. The following words, descriptor and conditions are set out in the FLR 1996 with regards to the description and use of the term “alcohol-free”.

Words and Descriptor- The description “alcohol-free”.

Conditions- Shall not be applied to any alcoholic drink from which the alcohol has been extracted, unless—

(a) the drink has an alcoholic strength by volume of not more than 0.05 per cent, and

(b) the drink is marked or labelled with--

- (i) an indication of its maximum alcoholic strength in a form comprising of the words “not more than” followed by a figure to not more than one decimal place indicating its maximum alcoholic strength and the symbol “% vol.” (required form 1), “alcohol % vol.” (required form 2), or “alc. % vol.” (required form 3), or
- (ii) in an appropriate case, an indication that it contains no alcohol.

4.13. Different countries define “non-alcoholic” or “alcohol-free” differently. For example, in Sweden alcohol free is classed as no more than 0.5% ABV, however in Italy non alcoholic beer is defined as being equal to or less than 1.2% ABV.

4.14. Under section 191(1)(a) of the Licensing Act 2003⁸, the definition of alcohol does not include alcohol which is of a strength not exceeding 0.5% at the time of the sale or supply in question. This could be seen as contradictory to advice given that a descriptor for alcohol free is set at 0.05% ABV.

4.15. One option would be to redefine alcohol-free as below 0.5% ABV to encourage the alcohol industry to produce more low alcohol products. However, the low alcohol industry is growing and sales of 0.05% ABV products are increasing in the UK. The

⁸ <http://www.legislation.gov.uk/ukpga/2003/17/section/191>

Industry has demonstrated that it can produce quality products which meet the 0.05% of alcohol free current definition, without any change to the existing definition.

4.16. It is unlikely there will be an absolute 0% ABV for these products, and in addition to meeting such a target there are everyday products on general sale which contain levels of alcohol naturally such as vinegar and fermented fruit juices. Some of these products are higher than the alcohol free descriptor set at 0.05%, but they do not need to include the descriptor.

4.17. It is important that consumers are aware of the content of the products they are consuming and that descriptors meet public expectations. The Government is mindful that raising the bar to describe alcohol free or non-alcoholic at a level such as 0.5% ABV may have negative consequences for consumers.

4.18. There may be a number of reasons that people choose, or are required, to avoid alcohol and increasing the level at which a product can be defined as alcohol-free could cause difficulty for those people. For example, there are some religions where drinking of alcohol is forbidden, pregnant women need to know if the products they are using are safe to consume and not harmful, recovering alcoholics may need to avoid alcohol where it could become a gateway to drinking dependency, and drivers need a clear understanding that what they are drinking provides a safe limit. For these reasons the Government is not minded to change the definition of alcohol-free. The Government welcomes views on this descriptor.

Question 6: Do you agree that Government should maintain the descriptor alcohol free, and for this to continue at 0.05% ABV?

Yes or No

If No, please provide a reason why and alternative suggestions.

5. Impact Assessment

5.1. We are required to identify and quantify regulatory burdens to business as part of the Government's overall aim of reducing red tape and costs to business. Our initial assessment of impact on business suggests that guidance, over regulation, is likely to have no impact on business if the current descriptors are maintained. The costs will occur to Government to produce and provide the guidance.

5.2. Depending on the consultation outcome however, there may be views, for example, to suggest some descriptors should be no longer used or alternatives presented. There may be costs to industry in changing labels on drinks to do this if this approach is taken. The Government will produce an impact assessment on the costs and benefits of the approach to be taken as part of its consultation response.

6. Equality Analysis

6.1. The Department of Health and Social Care is subject to the Equality Act 2010⁹, and specifically, the Public Sector Equality Duty.

6.2. The Duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race (includes ethnic or national origins, colour or nationality), religion or belief (includes lack of belief), sex and sexual orientation.

6.3. There are three parts to the Duty and public bodies must, in exercising their functions, have due regard to them all. They are:

- the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.4. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

⁹ <http://www.legislation.gov.uk/ukpga/2010/15/contents>

6.5. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- tackle prejudice, and
- promote understanding.

6.6. Although the Government approach to consulting on low alcohol descriptors is to keep the existing descriptors and provide these through guidance, depending on the consultation outcome this position may change. We are therefore mindful from an equality perspective that any change in descriptors and/or the corresponding ABV% levels may impact, in particular on the following groups

- Religious groups where drinking of alcohol is forbidden; and
- pregnant women who need to know if the products they are using are safe to consume and not harmful; and
- Some disabled people who might take medication that is incompatible with alcohol.

6.7. We will be interested to receive views on how our potential proposals could impact those who share a protected characteristic as this may assist us in delivering a fuller equality analysis. Please provide any comments or submissions under Question 6 “further comments”.

Further comments

6.8. Further comments are welcomed for consideration on this consultation.

Question 7: Do you have any further comments?

7. Summary of Questions

Question 1: Do you agree with the Government's preferred option of providing guidance working with industry and other stakeholders to describe low alcohol descriptors rather than legislate after 13 December 2018?

Yes or No? If no please provide a reason why?

Question 2: Do you have any evidence to support the case for introducing new alcoholic drink descriptors above 1.2% ABV.

Yes or No?

If Yes please provide the descriptor name(s), research and evidence to support and at what level of % ABV they relate to.

Question 3: For something to be 'low alcohol' the amount of alcohol needs to be 1.2% or less. Do you think the Government should keep this guideline?

Yes- I think the Government should keep 1.2% as the upper limit for low alcohol

No- I think the Government should make the limit lower than 1.2% for low alcohol

I don't know

Additional Comments

Question 4: Should the Government keep the existing descriptor dealcoholised? Yes or No?

If No, do you believe another descriptor could be used in its place and if so, what should this descriptor be called?

Question 5: Do you agree the term non-alcoholic should be permitted to be used otherwise than in connection with sacramental and communion wines?

Yes or No. If No, please provide a reason why.

Question 6: Do you agree that Government should maintain the descriptor alcohol free, and for this to continue at 0.05% ABV? Yes or No.

If No, please provide a reason why and alternative suggestions.

Question 7: Do you have any further comments?

8. How to Respond to this Consultation

8.1. This consultation begins on 15 March 2018 and will close on 10 May 2018. Department of Health and Social Care policy officials will consider all responses to the consultation questions received during this period and consider these in finalising the policy on low alcohol descriptors.

8.2. You can respond to the consultation in writing, by e-mail or by completing an on-line questionnaire.

Responding on the web

8.3. It will help us to analyse the responses if respondents fill in the online consultation response document, which can be found at:

<https://consultations.dh.gov.uk/healthy-behaviours/low-alcohol-descriptors>. The online questionnaire will be available for the whole consultation period.

Responding by e-mail

8.4. If you wish to respond by e-mail please return the questionnaire at the back of this document. Once it is completed please e-mail to: healthybehaviours@dh.gsi.gov.uk

Responding in writing

8.5. If you wish to respond in writing, it would be helpful if you could do so by completing the consultation response form and sending it to the address below. If you do not want to use the consultation response form or are unable to do so, then please write with your answers and comments to:

Low Alcohol Descriptors Consultation
Healthy Behaviours
Department of Health and Social Care
2N16 Quarry House
Leeds
LS2 7UE

Criteria for consultation

8.6. This consultation follows the Cabinet Office Principles. In particular we aim to:

- Formally consult at a stage where there is scope to influence the policy outcome;
- Consult for a sufficient period.
- Be clear about the consultations process in the consultation documents, what is being proposed, the scope to influence and the expected costs and benefits of the proposals;
- Ensure the consultation exercise is designed to be accessible to, and clearly targeted at, those people it is intended to reach;
- Consult in a manner which is clear, concise and informative.
- Analyse responses carefully and give clear feedback to participants following the consultation within a period of 12 weeks; and
- Ensure officials running consultations are guided in how to run an effective consultation exercise and share what they learn from the experience.

8.7. The full text of the code of practice is on the Better Regulation website at:

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

Confidentiality of information

8.8. We manage the information you provide in response to this consultation in accordance with the Department of Health and Social Care's Information Charter:

https://www.gov.uk/government/organisations/department-of-health/about/personal-information-charteruk/en/FreedomOfInformation/DH_088010).

8.9. Information we receive, including personal information, may be published or disclosed in accordance with the access to information regimes (primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

8.10. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public

authorities must comply and which deals, amongst other things, with obligations of confidence. 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 Department.

8.11. The Department will process your personal data in accordance with the DPA and in most circumstances this will mean that your personal data will not be disclosed to third parties.

Next steps

8.12. Following the closing date of this consultation, policy officials at the Department of Health and Social Care will analyse the replies and publish a response document within 12 weeks of the consultation, or provide an explanation as to why this is not possible. The consultation response will set out the main findings resulting from the submissions made to the consultation.

8.13. Responses to this consultation will be made available before or alongside any further action, such as laying legislation before Parliament, and will be placed on the www.gov.uk/dh website.

8.14. If you have concerns or comments which you would like to make relating specifically to the consultation process itself please contact:

Consultations Coordinator
Department of Health and Social Care
2E08 Quarry House
Leeds
LS2 7UE
consultations.co-ordinator@dh.gsi.gov.uk

Please do not send consultation responses to this address.