

chapter S-13, r. 2

Regulation respecting alcoholic beverages made with beer

Act respecting the Société des alcools du Québec
(chapter S-13, s. 37).

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DIVISION I

INTERPRETATION

1. In this Regulation,

“acquired alcoholic content” means the number of volumes of ethylic alcohol at a temperature of 20°C contained in 100 volumes of the product considered at that temperature, expressed in percentage of alcohol by volume; (*titre alcoométrique acquis*)

“aromatic substance” means herbs, spices, fruit, plants or other aromatic vegetal substances, extract or essence thereof as well as honey and maple syrup; (*substance aromatique*)

“beer blend” means an alcoholic beverage referred to in subparagraph 2 of the first paragraph of sections 24.2 and 25 of the Act respecting the Société des alcools du Québec (chapter S-13), obtained by blending exclusively beer with fruit juice, water, carbon dioxide or flavouring, that does not have the aroma, taste and character commonly attributed to beer and that as a finished product is not beer; (*mélange à la bière*)

“beer blended with other alcoholic beverages” means an alcoholic beverage referred to in subparagraph 3 of the first paragraph of section 25 of the Act respecting the Société des alcools du Québec, obtained by blending a product made by the holder of a brewer’s permit with at least one of the alcoholic beverages provided for in section 4 of this Regulation, and that as a finished product is not beer, cider, wine, alcohol or spirits; (*mélange de bière avec d’autres boissons alcooliques*)

“permit holder” means the holder of a brewer’s permit, of a beer distributor permit or of a small-scale beer producer’s permit. (*titulaire*)

O.C. 105-2010, s. 1.

DIVISION II

MANUFACTURING CONDITIONS

§ 1. — *Beer blend*

2. The ingredients used in making a beer blend must not contain alcohol.

O.C. 105-2010, s. 2.

3. The acquired alcoholic content of a beer blend must be at least 1.5% and no more than 11.9% of alcohol by volume and must be derived from the fermentation of the beer.

O.C. 105-2010, s. 3.

§ 2. — *Beer blended with other alcoholic beverages*

4. The alcoholic beverages that may be used in making beer blended with other alcoholic beverages are beer, weak cider, wine and alcohol.

The holder of a brewer’s permit must purchase the alcoholic beverages from the holder of an industrial permit issued pursuant to the Act respecting the Société des alcools du Québec (chapter S-13) who authorizes the making of the alcoholic beverages.

O.C. 105-2010, s. 4.

5. The acquired alcoholic content of beer blended with other alcoholic beverages must be at least 1.5% by volume.

O.C. 105-2010, s. 5.

6. When beer blended with other alcoholic beverages is being made, the alcoholic beverages purchased by the holder of a brewer's permit and the aromatic substances used by the permit holder may contribute to the acquired alcoholic content of the finished product in a maximum proportion of 49%.

O.C. 105-2010, s. 6.

DIVISION III

INSCRIPTIONS ON CONTAINERS

7. A beer blend container or the container of beer blended with other alcoholic beverages must, by means of a label or otherwise, provide the following inscriptions in bold, indelible, legible and contrasting characters:

(1) the words “beer blend” or “beer blended with other alcoholic beverages”, as the case may be, or “beer-based alcoholic beverage”, “beer cooler”, “malt-based alcoholic beverage”, “alcoholic malt beverage”, “malt alcoholic beverage” or “malt cocktail”;

(2) the name of the alcoholic beverage used, where applicable;

(3) the name and address of the permit holder and the number of the permit under which the permit holder made the beer blend or the beer blended with other alcoholic beverages;

(4) the acquired alcoholic content;

(5) the net volume;

(6) the words “made in Québec”, “product of Québec”, “product of Canada”, “made in Canada” or, where the product comes solely from a country other than Canada, the words “product of” followed by the name of the country of origin;

(7) the alphanumeric code identifying the production lot of the beer blend or beer blended with other alcoholic beverages; and

(8) a list of ingredients.

The inscriptions required under subparagraphs 1 to 6 must appear on the principal visible surface of the container.

O.C. 105-2010, s. 7.

8. Any inscription or picture appearing on a beer or beer blend container or the container of beer blended with other alcoholic beverages, including any mark used to distinguish the alcoholic beverage, must be true and accurate and create no risk of confusion or error in the consumer's mind, particularly as regards the nature or composition of the alcoholic beverage.

In particular, it may not refer to any other alcoholic beverage, so as to avoid any risk of confusion between the product concerned and such beverage.

O.C. 105-2010, s. 8.

9. A beer or beer blend container or the container of beer blended with other alcoholic beverages, as well as any packaging, must not create in the consumer's mind any risk of confusion with the container or other packaging associated with another alcoholic beverage.

O.C. 105-2010, s. 9.

DIVISION IV

TRANSITIONAL, MISCELLANEOUS AND FINAL PROVISIONS

10. A beer blend or beer blended with other alcoholic beverages, made or being made on the 18 March 2010 and not complying with this Regulation, may be marketed by the permit holder for 6 months from that date.

Labels, containers and packages for beer blends and beer blended with other alcoholic beverages that do not comply with this Regulation on the 18 March 2010 may be used for 6 months from that date.

O.C. 105-2010, s. 10.

11. Where a beer blend or beer blended with other alcoholic beverages is made with a view to being shipped outside Québec, the provisions of this Regulation that are incompatible with the legislation of the place of destination do not apply.

O.C. 105-2010, s. 11.

12. *(Omitted).*

O.C. 105-2010, s. 12.

UPDATES

O.C. 105-2010, 2010 G.O. 2, 623