

Requirements for Definition, Description and Presentation for Sale of Alcohol¹

Approved by Regulation No 134 a of the Government of the Republic of 26 April 2004.

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amended by the following Regulations:

12.08.2005 entered into force 21.08.2005 - RT I 2005, 44, 374, No 215;

16.03.06 entered into force 24.03.06 - RT I 2006, 13, 105, No 77.

The Regulation is established on the basis of subsection 4 (2) of the Alcohol Act.

1. Chapter 1

General Provisions

§ 1. Scope of application

This Regulation establishes the requirements for definition, description and presentation for sale of handled alcoholic beverages concerning which such requirements have not been established by relevant Regulations of the European Community.

§ 2. Ethanol content of alcohol

(1) The ethanol content of alcohol is expressed in per cent by volume, at least to the accuracy of a full or half percentage point, and shall be marked by the symbol "% vol" which may be preceded, upon labelling of alcohol, by the word "alcohol" or the abbreviation "alk." or "alc.".

(2) Actual ethanol content by volume is the ethanol content expressed in units of volume present in 100 units of volume measured at 20 °C.

(3) Potential ethanol content by volume is the ethanol content expressed in units of volume measured at 20 °C which may be obtained after the full fermentation of the residual sugars present in 100 units of volume of the product at 20 °C .

(4) Total ethanol content by volume is the sum total of the actual and potential ethanol content.

(5) Natural ethanol content by volume is the total ethanol content of a product before its possible enrichment.

§ 3. Requirements for consumer packaging of alcoholic beverages

- (1) Handlers shall adhere to good trading practices upon the choice and labelling of the consumer packaging of alcoholic beverages.
- (2) The labelling on a consumer packaging of alcoholic beverages must be clearly visible, easily legible and clearly distinguishable from other written or image data and shall be durable to external impacts. Labelling shall also conform to the rules of orthography and shall not be misleading.
- (3) The name and country of location of the producer and the country of origin of the product, if absence of such data may be misleading, shall also be clearly expressed on the consumer packaging of alcoholic beverages. It is not permitted to use only combinations of numbers to express such information. The name of the country of location and origin may be expressed by internationally recognised abbreviations.
- (4) Labelling on the consumer packaging of an alcoholic beverage may be in a foreign language if correct information in Estonian which is based on the original text is provided upon the sale of goods.
- (5) The producer of alcohol shall enter the data specified by this Regulation on the consumer packaging of alcoholic beverages. Amendment or substitution of a labelling provided by the producer is not permitted. Handlers of alcohol may add additional information to the data provided by the producer on the free surface of a consumer packaging with the producer's written consent.
- (6) It is not permitted to use, together with the name indicating the type of the alcoholic beverage, the words "*sarnane*" [similar to], "*tüüpi*" [type of], "*laadi*" [nature of], "*maitsega*" [taste like] or other expressions of similar nature on a consumer package. If a beverage is the result of blending, the word "*segu*" [blend] may be used.

§ 4. Prohibition to use substances acting as non-specific stimulants to central nervous system

It is prohibited to use taurine, guarana and other substances which act as non-specific stimulants to the central nervous system in the composition of alcoholic beverages.

2. Chapter 2

Requirements for Definition, Description and Presentation for Sale of Fruit and Berry Wine, Cider and Perry

§ 5. Fruit and berry wine

(1) Fruit and berry wine (hereinafter fruit wine) is an alcoholic beverage of an actual ethanol content up to 15 per cent by volume produced by fermentation which is derived exclusively from:

- 1) pulp manufactured from fresh berries or fruit, or
- 2) juice manufactured from fresh berries or fruit, or
- 3) concentrated juice.

(2) Sparkling fruit wine is fruit wine containing carbon dioxide created upon the secondary fermentation of the wine, the pressure of which in a closed receptacle is, due to the carbon dioxide dissolved in the beverage, at least 3 bar when measured at a temperature of 20°C.

(3) Semi-sparkling fruit wine is fruit wine containing carbon dioxide created upon the secondary fermentation of the wine or carbon dioxide added to the wine, the pressure of which in a closed receptacle is, due to the carbon dioxide dissolved in the beverage, 1-3 bar (inclusive) when measured at a temperature of 20°C.

(4) Aerated fruit wine is fruit wine containing added carbon dioxide, the pressure of which in a closed receptacle is, due to the carbon dioxide dissolved in the beverage, over 3 when measured at a temperature of 20°C.

(5) Aromatised fruit wine is fruit wine whose organoleptic properties arise from the flavouring substances used upon the production thereof.

(6) Fortified fruit wine is fruit wine to which ethanol of agricultural origin has been added and whose actual ethanol content is 14-22 per cent (inclusive) by volume. At least 4 per cent by volume of the ethanol content of fortified fruit wine must result from fermentation.

(7) Cider is an alcoholic beverage which is prepared by full or partial fermentation of the juice received as a result of the dilution of apple juice or concentrated apple juice, or a mixture of such juices. Upon preparation of cider, it is permitted to add limited quantities of pear juice, sugar, water and sugar products before or after fermentation, and of concentrated apple juice after fermentation. Cider may be carbonised by secondary fermentation or by adding carbon dioxide. The actual ethanol content of cider is 1.2-8.5 (inclusive) per cent by volume. It is not permitted to fortify cider by adding distilled alcohol.

(8) Perry is an alcoholic beverage which is prepared by full or partial fermentation of the juice received as a result of the dilution of pear juice or concentrated pear juice, or a mixture of

such juices. Upon preparation of perry, it is permitted to add limited quantities of apple juice, sugar, water and sugar products before or after fermentation, and of concentrated pear juice after fermentation. Perry may be carbonised by secondary fermentation or by adding carbon dioxide. The actual ethanol content of perry is 1.2-8.5 (inclusive) per cent by volume. It is not permitted to fortify perry by adding distilled alcohol.

§ 6. Manufacture of fruit wine

(1) The flavourings specified in clause 1 of the Government of the Republic Regulation No. 292 of 6 October 1999 "Establishment of List of Artificial Flavourings Permitted in Food, Maximum Limits by Food Groups, Requirements for Flavourings, Conditions and Methods for Use and Production and Special Requirements for Labelling of Such Substances" (RT I 1999, 74, 702) may be used upon manufacture of fruit wine.

(2) Only the food additives specified in the Republic Regulation No.81 of 7 March 2000 "List and Permitted Levels of Food Additives Permitted in Food by Food Group, and Conditions and Methods of Use of Food Additives, Special Requirements and Procedure for Labelling of Food Additives and for Other Manners of Communication of Information" (RT I 2000, 23, 131; 66, 428; 2002, 40, 248; 2003, 72, 482) may be used upon manufacture of fruit wine.

(3) Water used for the manufacture of fruit wine shall conform to the quality requirements for potable water established pursuant to subsection 13 (2) of the Water Act (RT I 1994, 40, 655; 1996, 13, 241; 1998, 2, 47; 61, 987; 1999, 10, 155; 54, 583; 95, 843, 2001, 7, 19; 42, 234; 50, 283; 94, 577; 2002, 1, 1; 61, 375; 63, 387; 2003, 13, 64; 26, 156; 51, 352).

(4) The organoleptic properties of fruit wine shall mainly arise from the raw material or the flavourings. In manufacturing fruit wine it is permitted to use sugar products or honey to promote fermentation or to sweeten the beverage. It is permitted to add the juice or concentrated juice of the corresponding berries or fruit to the beverage after fermentation.

§ 7. Content of substances permitted in fruit wine

(1) The sulphur dioxide and sorbic acid content in fruit wine shall not exceed the amounts permitted in the Republic Regulation No.81 of 7 March 2000 "List and Permitted Levels of Food Additives Permitted in Food by Food Group, and Conditions and Methods of Use of Food

Additives, Special Requirements and Procedure for Labelling of Food Additives and for Other Manners of Communication of Information".

(2) The benzoic acid content in fruit wine with an ethanol content of 5 (inclusive) per cent by volume shall not exceed 150 millilitres per litre. In fruit wine with an ethanol content higher than 5 per cent by volume, benzoic acid may be present in quantities which result from the raw material of berries or fruit.

(3) Fruit wine may contain up to 150 milligrams of ascorbic acid per litre.

(4) Only citric, tartaric, malic or lactic acid may be used for regulating the acidity of fruit wine.

§ 8. Requirements for presentation of fruit wine for sale

Sparkling fruit wine, semi-sparkling fruit wine and aerated fruit wine shall only be sold in glass bottles closed with a mushroom-shaped stopper, made of cork or other materials contact of which with foodstuffs is permitted, which is held in place by a fastening which, where necessary, may be covered with a capsule and encased in foil which envelops the cork fully and the neck of the bottle fully or partly or, in the case of bottles with a nominal content of up to 20 centilitres, by any other appropriate stopper.

§ 9. Requirements for labelling of fruit wine

(1) The labelling of the consumer packaging of fruit wine, including cider and perry shall set out at least the following data:

- 1) name of product;
- 2) type of product;
- 3) nominal net quantity;
- 4) actual ethanol content expressed in per cents by volume;
- 5) name and country of location of the producer;
- 6) country of origin, if absence thereof could be misleading;
- 7) indication of the lot by the producer (unless the beverage has an ethanol content of up to 10 per cent by volume);
- 8) storage time containing a date in the case of beverages with an ethanol content of up to 10 per cent by volume.

(2) In the name describing the fruit wine, the name of the fruit or berry which is the main raw material of the wine shall precede the word "*vein*" [wine]. If several types of fruit or berries have been used as the raw material of the wine and none of those dominate, the words "*puuvilja*-" [fruit] or "*marja*-" [berry] may be substituted for the name of a fruit or berry.

(3) In the case of alcoholic beverages for which the first four digits of the combined nomenclature established by Council Regulation (EEC) No 2658/87 of on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No. L 256, 7.09.1987, pp. 1-675) are 2206, it is prohibited to use the definitions «Hock», «Claret», «Liebfrauenmilch» and «Liebfraumilch» even if the words «*liik*» [class], «*tüüp*» [type], «*meetod*» [method], «*imitatsioon*» [imitation] or other similar expression is added to it unless the fruit wine actually originates from a place with such name.

(4) The ethanol content in per cent by volume indicated on the labelling of the consumer packaging of fruit wine, including cider and perry, may differ from the ethanol content determined by analysis of the beverage up to 1 per cent by volume.

3. Chapter 3

Requirements for Definition, Description and Presentation for Sale of Beer

§ 10. Beer

(1) Beer means a beverage manufactured from malt, or malt and adjuncts, and from hops and water by fermentation using yeast; Beer may be pasteurised.

(2) Malt is grain which has been germinated, dried and processed under special conditions.

(3) Beer is divided into the following categories on the basis of its ethanol content:

- 1) low-alcohol beer - beer with an ethanol content of up to 6 per cent by volume (inclusive);
- 2) strong beer - beer with an ethanol content of more than 6 per cent by volume.

§ 11. Manufacture of beer

(1) Water used for the manufacture of beer shall conform to the quality requirements for potable water established pursuant to subsection 13 (2) of the Water Act.

(2) Upon manufacture of beer, only the food additives specified in the Republic Regulation No.81 of 7 March 2000 "List and Permitted Levels of Food Additives Permitted in Food by Food

Group, and Conditions and Methods of Use of Food Additives, Special Requirements and Procedure for Labelling of Food Additives and for Other Manners of Communication of Information" shall be used.

(3) Upon manufacture of beer, the flavourings specified in clause 1 of the Government of the Republic Regulation No. 292 of 6 October 1999 "Establishment of List of Artificial Flavourings Permitted in Food, Maximum Limits by Food Groups, Requirements for Flavourings, Conditions and Methods for Use and Production and Special Requirements for Labelling of Such Substances" may be used.

§ 12. Requirements for labelling of beer

(1) At least the following information shall be set out on the consumer packaging of beer:

- 1) name of product;
- 2) type of product;
- 3) nominal net quantity;
- 4) ethanol content expressed in per cent by volume;
- 5) name and country of location of the producer;
- 6) country of origin, if absence thereof could be misleading;
- 7) minimum durability period containing a date.

(2) The ethanol content expressed in per cent by volume set out on the labelling of the consumer packaging of beer may differ from the ethanol content determined by analysis of the beverage:

- 1) 0.5 per cent by volume - in the case of beer whose ethanol content is up to 5.5 per cent by volume (inclusive);
- 2) 1 per cent by volume - in the case of beer whose ethanol content is more than 5.5 per cent by volume.

4. Chapter 4

Requirements for Definition, Description and Presentation for Sale of Other Alcoholic Beverages
(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

§ 13. Other alcoholic beverages

(1) Other alcoholic beverages are alcoholic beverages with an ethanol content of 1.2-15 (inclusive) per cent by volume created by blending together spirit, spirit drinks, water or other non-alcoholic beverages which may be carbonised or flavoured.

(16.03.06 entered into force 24.03.06 - RT I 2006, 13, 105)

(1¹) Alcoholic beverages which conform to the requirements for the definition, description and presentation for sale of other alcoholic beverages as well as the requirements set for another alcoholic beverage are not deemed to be other alcoholic beverages.

(16.03.06 entered into force 24.03.06 - RT I 2006, 13, 105)

(2) Mead which is a germinated honey drink with an ethanol content of 1.2-5 per cent by volume (inclusive) is also deemed to be other alcoholic beverage.

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

§ 14. Manufacture of other alcoholic beverages

(1) Upon manufacture of other alcoholic beverages, only the food additives specified in the Republic Regulation No.81 of 7 March 2000 "List and Permitted Levels of Food Additives Permitted in Food by Food Group, and Conditions and Methods of Use of Food Additives, Special Requirements and Procedure for Labelling of Food Additives and for Other Manners of Communication of Information" shall be used.

(2) Upon manufacture of other alcoholic beverages, the flavourings specified in clause 1 of the Government of the Republic Regulation No. 292 of 6 October 1999 "Establishment of List of Artificial Flavourings Permitted in Food, Maximum Limits by Food Groups, Requirements for Flavourings, Conditions and Methods for Use and Production and Special Requirements for Labelling of Such Substances" may be used.

(3) Water used for the manufacture of other alcoholic beverages shall conform to the quality requirements for potable water established pursuant to subsection 13 (2) of the Water Act.

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

§ 15. Requirements for labelling other alcoholic beverages

(1) At least the following information shall be presented on the consumer packaging of other alcoholic beverages:

1) name of product;

- 2) nominal net quantity;
- 3) ethanol content expressed in per cent by volume;
- 4) name and country of location of the producer;
- 5) country of origin, if absence thereof could be misleading;
- 6) storage time containing a date in the case of beverages with an ethanol content of up to 10 per cent by volume;
- 7) indication of the lot by the producer (unless the beverage has up to 10 per cent by volume).

(2) The ethanol content set out on the labelling of the consumer packaging of other alcoholic beverages (except mead) may differ by up to 0.5 per cent by volume from the ethanol content determined by laboratory analysis. The ethanol content set out on the labelling of the consumer packaging of mead may differ by up to 1 per cent by volume from the ethanol content determined by analysis of the beverage.

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

5. Chapter 5

Requirements for Definition, Description and Presentation for Sale of Sake

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

§ 16. Sake

Sake is an alcoholic beverage manufactured from rice which is prepared in a certain geographic region using traditional methods by germination or addition of spirit following germination.

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

§ 17. Requirements for labelling of sake

At least the following information shall be set out on the consumer packaging of sake:

- 1) name of product;
- 2) type of product;
- 3) nominal net quantity;
- 4) ethanol content expressed in per cent by volume;
- 5) name and country of location of the producer;

- 6) country of origin, if absence thereof could be misleading;
- 7) indication of the lot by the producer.

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

5¹. Chapter 5¹

Permitted Deviations from Ethanol Content in Spirit Drinks, Aromatised Wine, Aromatised Wine-Based Drinks and Aromatise Wine-Product Cocktails

(12.08.2005 entered into force 21.08.2005 - RT I 2005, 44, 374)

§ 18. Permitted deviations from ethanol content in spirit drinks, aromatised wine, aromatised wine-based drinks and aromatised wine-product cocktails

(1) The ethanol content set out on the labelling of the consumer packaging of spirit drinks, aromatised wine, aromatised wine-based drinks and aromatised wine-product cocktails may differ by up to 0.3 per cent by volume (inclusive) from the ethanol content determined by laboratory analysis.

(2) The ethanol content set out on the labelling of the consumer packaging of spirit drinks containing macerated fruit, berries or plant parts may differ by up to 1.5 per cent by volume (inclusive) from the ethanol content determined by laboratory analysis.

(3) The ethanol content set out on the labelling of the consumer packaging of spirit drinks prepared from grapes may differ by up to 0.5 per cent by volume (inclusive) from the ethanol content determined by laboratory analysis.

(12.08.05 entered into force 21.08.05 - RT I 2005, 44, 374)

6. Chapter 6

Implementing Provisions

§§ 19 and 20 [omitted from this text]

¹ Commission Directive No 87/250/EEC of on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer (OJ L 113, 30.04.1987, pp. 57–58)

