



## Scotch Whisky Association (SWA) Submission in Response to FSANZ Proposal P1059 Energy Labelling on Alcoholic Beverages

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The Scotch Whisky Association (SWA) welcomes the opportunity to submit a response to FSANZ Proposal P1059 on energy labelling on alcoholic beverages. The SWA is the trade association representing the Scotch Whisky industry, from distillers to blenders and brand owners. We represent 93 member companies (c.95% of the industry), from multinational organisations to independent companies. The mission of the SWA is to secure a sustainable future for the Scotch Whisky industry. We want Scotch Whisky to be produced sustainably, traded globally and enjoyed responsibly.

Australia and New Zealand are both important markets for the Scotch Whisky industry. In 2022 Australia was the 12<sup>th</sup> largest export market for Scotch Whisky by value (worth £157m in direct exports) and 11<sup>th</sup> largest by volume (equivalent of 37.5m 70cl bottles in direct exports). New Zealand was the 57<sup>th</sup> largest export market for Scotch Whisky by value (worth £11.3m in direct exports) and 57<sup>th</sup> by volume (equivalent of 2.5m 70cl bottles in direct exports). The industry also welcomed the conclusion of FTA negotiations between the UK and Australia and New Zealand respectively and looks forward to the implementation of these agreements in the future.

In regard to Proposal P1059, the SWA is clear on the importance of enjoying Scotch Whisky responsibly and as part of a balanced, healthy lifestyle. We do not, therefore, oppose the requirement for alcohol producers to provide consumers with information on the energy content of their products. We do, however, have some concerns on some of the technicalities of the proposals and impacts these could have on both business and consumers. These primarily relate to the use of a 100ml measurement, the requirement to label the total number of standard serves in the container, and the size and format of the label, and the potential risks to cause confusion for the consumer which could lead to harmful overconsumption.

- 1. The requirement to provide energy content in terms of a 100ml measurement.** It is inappropriate to require this information to be provided in terms of a 100ml measurement as this is neither a standard nor a responsible serving size for spirits such as Scotch Whisky. For example, in the UK a standard single serve of Scotch Whisky is 25ml, which would equal 1 unit of alcohol for a whisky at 40% abv.<sup>1</sup> In Australia a standard single serve for spirits would be 30ml.

While we recognise that the 100ml measure is standard for other, non-alcoholic beverages when displaying calorie information, for alcohol, and particularly spirits, this remains an inappropriate measure given the potential risks to consumers from overconsumption. It also does not support effective comparison between other alcoholic beverages, where a standard serve is greater than

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<sup>1</sup> <https://www.scotch-whisky.org.uk/insights/a-responsible-industry/responsible-drinking/>  
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100ml, such as beer and wine. These concerns are supported by consumer research carried out by Spirits and Cocktails Australia and Spirits New Zealand, which found that 25% of respondents were confused by this measurement, resulting in miscalculation which would result in overconsumption. Respondents also stated that a 100ml measurement indicated that this was a suitable serving size, despite being over three times the volume of a standard spirits serve.<sup>2</sup>

Requiring calorie information to be provided in terms of a 100ml measurement is therefore at best unclear and confusing for the consumer, and at worst could be interpreted as suggesting this is an appropriate measure for that spirit, thereby inadvertently promoting harmful consumption. We therefore believe that energy information should only be provided in terms of a single standard serve (30ml).

2. **The requirement to label total number of standard serves in container.** In Australia and New Zealand it is a requirement to label the number of standard drinks in a container, with a single drink containing 10g of ethanol, while a single serve is based on the volume of spirit served (30ml), as outlined above. The number of standard drinks in a container may therefore differ from the number of standard serves in the container, depending on the strength of the product. Under the Scotch Whisky Geographical Indication, Scotch Whisky legally must be a minimum strength of 40% abv and be distilled below 94.8% abv. The strength of a bottle of whisky therefore could vary significantly, meaning that the number of standard drinks in the bottle differ from the number of standard serves.

Again, the consumer research cited above confirms this hypothesis, with multiple respondents expressing confusion over the difference between standard serves and standard drinks, despite having the difference explained to them during the session. This led to a reluctance to engage with the information provided.

By requiring producers to label both the total number of standard drinks and the total number of standard serves in a bottle, this clearly causes confusion amongst consumers if those two numbers differ. We therefore believe the requirement to also label the total number of standard serves in a bottle should be removed to avoid such confusion.

3. **The size and format of the proposed label.** We note that the size and format of the proposed label is the largest of the five options previously proposed and are concerned about the demand this would have on labelling space on the back label of the bottle, where space is already at a premium. By removing the requirement to label energy content in terms of a 100ml measurement, and instead only in terms of a standard single serve (30ml) for spirits, this will reduce the size of the label and ensure complete clarity for consumers. We would urge FSANZ to consider other options such as this proposal which make a more efficient use of the premium space on the label.

With this in mind, we would also welcome opportunities to engage with FSANZ on the potential opportunities of e-labelling, whereby consumers can access additional information, such as energy labelling, by following a digital link (e.g., QR code) on the label. This is being widely considered by industry due to the benefits it provides for consumers by allowing them to access far more information than would be possible to share on a back label and ensuring they can access this information in the language and format which best suits them.

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<sup>2</sup> We understand that this research will be submitted directly to FSANZ by Spirits and Cocktails Australia and Spirits New Zealand.

Finally, we welcome the commitments made by FSANZ to ensure consistency between Proposal P1059 and Proposal P1058. Labelling changes are a time consuming and costly process for businesses and ensuring cohesion in the implementation of these changes in order to minimise the impact on business of multiple changes of labelling requirements in a short period of time is very welcome. As such we also welcome the commitment for a three-year transition period for the introduction of new labelling requirements, with provisions for the using up of stock already placed on the market.

If FSANZ would like to discuss any of the content of our submission, or requires any further information, then please do not hesitate to contact us.