

# Standard 2.6.2

## Non-Alcoholic Beverages and Brewed Soft Drinks

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### Purpose

This Standard deals with packaged waters and water based beverages which contain food additives and in certain cases, nutritive substances. The Standard defines a number of products and sets certain compositional requirements for packaged water, electrolyte drinks and brewed soft drinks. Labelling requirements specific to electrolyte drinks are included in this Standard. This Standard also prohibits the labelling or presentation of non-alcoholic beverages in such a way as to suggest the product is an alcoholic beverage.

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### Clauses

#### 1 Interpretation

In this Code –

**brewed soft drink** means the product prepared by a fermentation process from water with fruit and/or vegetable extractives or fruit and/or vegetable infusions, and sugar.

**electrolyte drink** means a drink formulated and represented as suitable for the rapid replacement of fluid, carbohydrates, electrolytes and minerals.

**electrolyte drink base** means a solid or liquid which when made up, makes an electrolyte drink.

**fruit drink** means a non-alcoholic beverage containing fruit and/or fruit products and other foods except alcoholic beverages.

**mineral water or spring water** means ground water obtained from subterranean water-bearing strata that, in its natural state, contains soluble matter.

**non-alcoholic beverage** means -

- (a) packaged water; or
- (b) a water-based beverage which may or may not contain other foods, except for alcoholic beverages; or
- (c) electrolyte drinks.

## 2 Composition of packaged water

- (1) Water presented in packaged form may or may not contain added carbon dioxide.
- (2) Water presented in packaged form must not contain the substances listed in column 1 of the Table in greater corresponding proportion than that specified in column 2 of the Table to this subclause.

**Table to subclause (2)2**

Column 1	Column 2 mg/L
Arsenic	0.05
Barium	1.0
Borate	30 (calculated as H <sub>3</sub> BO <sub>3</sub> )
Cadmium	0.01
Chromium VI	0.05
Copper	1.0
Cyanide	0.01 (calculated as CN <sup>-</sup> )
Fluoride	2.0 (calculated as F <sup>-</sup> )
Lead	0.05
Manganese	2.0
Mercury	0.001
Nitrate	45 (calculated as NO <sub>3</sub> <sup>-</sup> )
Nitrite	0.005 (calculated as NO <sub>2</sub> <sup>-</sup> )
Organic matter	3.0 (KMnO <sub>3</sub> digested as O <sub>2</sub> )
Selenium	0.01
Sulphide	0.05 (calculated as H <sub>2</sub> S)
Zinc	5.0

## 3 Composition of brewed soft drink

Brewed soft drink must contain no more than 1.15% alcohol/volume.

## 4 Non alcoholic beverages not to be labelled/presented as alcoholic beverages

Non alcoholic beverages must not be labelled or otherwise presented for sale in a form which expressly or by implication suggests that the product is an alcoholic beverage.

## 5 Composition of electrolyte drinks and electrolyte drink bases

- (1) An electrolyte drink, or an electrolyte drink base when made up, must contain no less than 10 mmol/L of sodium.
- (2) An electrolyte, or an electrolyte drink base when made up according to directions, must contain –
- (a) no less than 50 g/L and no more than 100 g/L total -
    - (i) glucose syrup; and
    - (ii) dextrose; and
    - (iii) fructose; and
    - (iv) maltodextrin; and
  - (b) no more than 50 g/L fructose.
- (3) An electrolyte drink, or an electrolyte drink base when made up, may contain:
- (a) calcium phosphates; and
  - (b) potassium phosphates; and
  - (c) calcium citrates; and
  - (d) potassium citrates; and
  - (e) sodium citrates; and
  - (f) potassium carbonates, including potassium bicarbonate; and
  - (g) potassium chloride; and
  - (h) calcium chloride; and
  - (i) sodium chloride; and
  - (j) calcium lactate; and
  - (k) magnesium lactate; and
  - (l) magnesium sulphate.

## 6 Labelling of electrolyte drinks and electrolyte drink bases

The label on a package of electrolyte drink or electrolyte drink base, must include a declaration, as ready to drink -

- (a) the average per 100 mL:
  - (i) energy value; and
  - (ii) total carbohydrate present, including each type of monosaccharide and disaccharide; and
  - (iii) milligrams and millimoles of the added minerals and electrolytes; and
- (b) the recommended volume and frequency of use.

**Editorial note:**

When determining the values to be included in the declaration in this clause, it should be done so on the basis that the water added to the electrolyte drink base, to make up the electrolyte drink does not contribute to the declared values.

## 7 Claims in relation to the tonicity of electrolyte drinks

- (1) A claim that an electrolyte drink is isotonic may only be made if the electrolyte drink has an average osmolality of 250 - 340 milliOsmol/L.
- (2) Where a claim is made that an electrolyte drink is isotonic, hypertonic or hypotonic, the osmolality of the electrolyte drink as measured in milliOsmols/L must be declared on the label of the package.
- (3) The label on a package of isotonic electrolyte drink may include words to the effect that the product is designed to promote the availability of energy and to prevent or treat mild dehydration that may occur as a result of sustained strenuous exercise.

**Editorial note:**

A claim that an electrolyte drink is isotonic is not considered a nutrition claim for the purposes of Standard 1.2.8 of this Code.

For New Zealand purposes, if a claim is made on a product under subclause 7(3), the claim would contravene the New Zealand *Medicines Act*, unless the claim has been approved by the Minister.