

**Food Standards (Proposal P1025 – Code Revision) Variation**

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The Board of Food Standards Australia New Zealand gives notice of the making of this standard under section 92 of the *Food Standards Australia New Zealand Act 1991*. The Standard commences on 1 March 2016.

Dated 25 March 2015



Standards Management Officer  
Delegate of the Board of Food Standards Australia New Zealand

**Note:**

This Standard will be published in the Commonwealth of Australia Gazette No. FSC 96 on 10 April 2015.

## Standard 2.7.5 Spirits

**Note 1** This instrument is a standard under the *Food Standards Australia New Zealand Act 1991* (Cth). The standards together make up the *Australia New Zealand Food Standards Code*. See also section 1.1.1—3.

**Note 2** The provisions of the Code that apply in New Zealand are incorporated in, or adopted under, the *Food Act 2014* (NZ). See also section 1.1.1—3.

### 2.7.5—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 2.7.5 – Spirits*.

**Note** Commencement:  
This Standard commences on 1 March 2016, being the date specified as the commencement date in notices in the *Gazette* and the *New Zealand Gazette* under section 92 of the *Food Standards Australia New Zealand Act 1991* (Cth). See also section 93 of that Act.

### 2.7.5—2 Definitions

**Note** In this Code (see section 1.1.2—3):

**brandy** means:

- (a) a spirit obtained from the distillation of wine, or fermented preparations of grapes or grape product; or
- (b) such a spirit with any of the following added during production:
  - (i) water;
  - (ii) sugars;
  - (iii) honey;
  - (iv) spices;
  - (v) grape juice;
  - (vi) grape juice concentrates;
  - (vii) wine;
  - (viii) prune juice.

**liqueur** means an alcoholic beverage that is a spirit, flavoured by or mixed with other foods, which contains more than 15% alcohol by volume, measured at 20°C.

**spirit** means an alcoholic beverage consisting of:

- (a) a potable alcoholic distillate, including whisky, brandy, rum, gin, vodka and tequila, produced by distillation of fermented liquor derived from food sources, so as to have the taste, aroma and other characteristics generally attributable to that particular spirit; or
- (b) such a distillate with any of the following added during production:
  - (i) water;
  - (ii) sugars;
  - (iii) honey;
  - (iv) spices.

### 2.7.5—3 Requirement for food sold as brandy, liqueur or spirit

- (1) A food that is sold as brandy must be brandy.
- (2) A food that is sold as a liqueur must be a liqueur.
- (3) A food that is sold as a spirit must be a spirit and contain at least 37% alcohol by volume.

### 2.7.5—4 Restriction on use of geographical indications

- (1) A \*geographical indication must not be used in relation to a spirit, even where the true origin of the spirit is indicated or the geographical indication is used in translation or accompanied by expressions such as 'kind', 'type', 'style', 'imitation' or the like, unless the spirit has been produced in the country, locality or region indicated.
- (2) A spirit lawfully exported under a geographical indication, but bottled other than in the territory, locality or region indicated by the geographical indication must not be sold under that geographical indication:

- (a) unless the concentration of alcohol by volume in the spirit is at a level permitted under the laws for that geographical indication of the territory, locality or region indicated by that geographical indication; or
- (b) if any other distinctive quality or characteristic of the spirit is such as to mislead or deceive the public as to the nature of the product identified by the geographical indication.

(3) In this section:

***geographical indication*** means an indication, whether express or implied:

- (a) which identifies a spirit as originating in a particular country, locality or region; and
- (b) where a given quality, reputation or other characteristic of the spirit is essentially attributable to its origin in that particular country, locality or region.

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