

FOOD SAFETY AND QUALITY AUTHORITY (FSQA)

# **Alcoholic Beverage Regulations**

## **ARRANGEMENT OF REGULATIONS**

### **Part I - PRELIMINARY**

1. Citation
2. Interpretation

### **Part II**

3. Scope
4. Prohibition
5. General Requirements

### **Part III**

6. Distilled alcohol beverage
  - 6.1 Brandy
  - 6.2 Country liquors
  - 6.3 Fenny or Feni
  - 6.4 Gin
  - 6.5 Rum
  - 6.6 Vodka
  - 6.7 Liqueur or Cordial or Apertifs
  - 6.8 Whisky or Whiskey
  - 6.9 Pot-still distilled spirit

### **Part IV**

7. Wine and other Fermented Beverages
  - 7.1 Wine

### **Part V**

8. Beer

### **Part VI**

9. Specific Labelling Requirements for Alcoholic Beverages
  - 9.1 Declaration of alcohol content
  - 9.2 Labelling of standard drink
  - 9.3 Labelling of wine

10. Packaging

11. Advertisement

**Part III - MISCELLANEOUS**

11. Penalty

**IN EXERCISE** of the powers conferred on the Vice President under Section 59 of the Food Safety and Quality Act, 2011 these Regulations are hereby made.

## **PART I – PRELIMINARY**

### **1. Citation**

These Regulations may be cited as Alcoholic Beverage Regulations.

### **2. Interpretation**

In these Regulations, unless the content otherwise requires:

“**Act**” means Food Safety and Quality Act, 2011;

“**Authority**” means the Food Safety and Quality Authority of The Gambia;

“**Alcohol by volume (abv)**” means ethyl alcohol (ethanol) content in an alcoholic beverage expressed as per cent. of total volume;

“**Alcoholic beverage**” means a beverage or a liquor or a brew containing more than 0.5 per cent. abv. The ethanol used in the production of alcoholic beverage shall be of agricultural origin;

“**Alcohol proof**” means 1.75131 times the ethanol content in an alcoholic beverage by volume;

“**Distilled alcoholic beverage**” means a distilled beverage, spirit, or liquor containing ethanol that is made by distilling ethanol produced by fermentation of cereal grains, fruits, vegetables, molasses or any other source of carbohydrates of agricultural origin;

“**Ethyl alcohol or ethanol**” means a transparent, colourless, flammable, volatile liquid miscible with water, ether or chloroform and obtained by the fermentation of carbohydrates with yeast. Ethyl alcohol has the chemical formula  $C_2H_5OH$ , has a burning taste, and causes intoxication on consumption;

“**Hops**” means the female flowers or seed cones or strobiles of the hop plant (*Humulus lupulus*), or its products used to impart a bitter taste or flavour to beer;

“**Methyl alcohol or methanol**” means a clear, colourless, flammable liquid having chemical formula,  $CH_3OH$ , consumption of which above the specified limits may cause blindness or death;

“**Neutral spirit or neutral alcohol or neutral grain spirit or pure grain alcohol or extra neutral alcohol (ENA)**” means a product obtained by distillation and rectification, with a minimum alcoholic strength of 96 per cent. abv, after alcoholic fermentation of cereal grains, fruits, vegetables, molasses or any other source of carbohydrates of agricultural origin;

“**Pot-still or column distilled spirit**” means the product of distillation done either in a pot-still in batches, or in continuous columns;

“**Rectified spirit**” means spirit purified by distillation to achieve strength of not less than 95 per cent.abv;

“**Table**” means the tables appended to these regulations;

“**Un-distilled alcoholic beverage or fermented beverage**” means fermented un-distilled alcoholic beverage such as beer, wine, cider, or any other similar products;

“**Yeast**” means a unicellular micro-organism responsible for fermentation of sugars to produce ethanol and carbon dioxide.

## PART II

### 3. **Scope**

The requirements specified in these regulations shall apply to distilled and un-distilled alcoholic beverages manufactured, imported, exported, sold, distributed or used in The Gambia.

### 4. **Prohibition**

A person shall not manufacture, import, export, advertise, sell or distribute alcohol in The Gambia unless it has been registered in accordance with the provision of these Regulations and the Registration and Licensing Regulations 2020.

### 5. **General Requirements**

- a) Alcoholic beverages shall be free from chloral hydrate, ammonium chloride, paraldehyde, pyridine, diazepam or narcotic, psychotropic substances including caffeine except naturally-occurring caffeine.
- b) The tolerance limit for ethyl alcohol content shall be  $\pm 0.3$  per cent ( $\pm 0.5$  in case of wines) for up to 20 per cent, and  $\pm 1.0$  per cent for more than 20 per cent abv of the declared strength.
- c) Sugar may be added for rounding off of the alcoholic beverage.
- d) The water used for dilution to bottling strength shall meet the requirements as specified in the **Gambian Standard for Drinking Water, Gams...../ Codex Standard for Natural Mineral Waters (CODEX STAN 108-1981)** as amended from time to time.
- e) Alcoholic beverage may contain additives, enzymes and processing aids as permitted under the Codex **Standards on Food Additives**.
- f) Any alcoholic beverage when labelled as "matured", shall be matured for a period of not less than one year in oak or other suitable wood vats or barrels or with wooden chips.
- g) Where an age claim is made in conjunction with the word "aged", the age must refer to the youngest spirit in the blend.
- h) Alcoholic beverage shall be packed in suitable containers as specified in the Food Safety and Quality Authority (Packaging) Regulations, 2020.
- i) Provided that bulk containers shall have no upper limit for alcohol content, and shall meet the safety parameters of the product standards. Such products shall also carry a label declaring, "For Manufacturer of Alcoholic Beverages only".

- j) Alcoholic beverage containing not more than 8.0per cent. abv may be called as low alcoholic beverage, and shall conform to the requirements of table 1 except for residue on evaporation.

### **PART 3**

#### **Distilled alcohol beverage**

##### **6.1 Brandy**

Brandy is an alcoholic beverage made by distillation of wine. Brandy may be aged or matured to possess aroma and taste characteristic of brandy. Brandy may be of the following types: -

6.1.1 Grape brandy: Grape brandy shall be an alcoholic distillate obtained solely from the fermented juice of grapes. Distillation shall be carried out to a suitable strength in such a way that the distillate has an aroma and taste characteristics derived from the grapes used and the constituents formed during fermentation.

In case of brandy made from any fruit other than grapes, the name of the fruit shall be pre-fixed with the word 'Brandy'.

6.1.2 Blended brandy: Blended brandy is a mixture of minimum 2 per cent. of pure grape brandy with any other fruit or flower brandy or neutral spirit or rectified spirit of agricultural origin. If any other fruit brandy is used for blending, the name of such fruit shall be pre-fixed with the word 'Brandy'. It shall possess the characteristic aroma and taste of brandy.

The Brandy shall also conform to the general requirement specified in Part 1 and requirements specified in Table – 1.

##### **6.2 Country liquors**

Country liquors or spirits are alcoholic beverages obtained from distillation of fermented carbohydrates of agricultural origin. Country liquors may also be of the following types:

6.2.1 Plain country liquor: Plain country liquor shall be made from alcoholic distillate obtained from fermented molasses, jaggery (Gur), mash of cereals, potato, cassava, fruits, juice or sap of coconut and palm trees, mahua flowers or any other carbohydrates of agricultural origin.

6.2.2 Blended country liquor: Blended country liquor is a blend of an alcoholic distillate, rectified spirit or neutral spirit.

Country liquor shall also conform to the general requirement specified in Part 1 and requirements specified in Table – 1.

6.3 Fenny or Feni: Fenny or Feni is a distilled liquor made from the fermented juice of cashew apple or coconut toddy.

Fenny shall also conform to the general requirement specified in Part 1 and requirements specified in Table – 1.

#### 6.4 Gin

Gin is a distilled alcoholic beverage made from neutral spirit of agricultural origin flavoured with juniper berries and or other flavouring agents of botanical origin. It shall be clear and shall not develop any turbidity on dilution with water. Gin shall have the characteristic aroma and taste associated with gin.

Gin shall conform to the general requirement specified in Part 1 and requirements specified in Table – 1.

#### 6.5 Rum

Rum is an alcoholic distillate obtained from fermented juice of sugarcane, sugarcane molasses, or any other sugarcane product, and shall not contain any colouring matter other than caramel. It may also be prepared from neutral, rectified, distilled spirit of agricultural origin. Rum without colour shall be designated as white rum. Rum shall possess the characteristic taste and aroma associated with the product.

Rum shall also conform to the general requirement specified in Part 1 and the requirements specified in Table-1.

6.6 Vodka: Vodka is a distilled alcoholic beverage made from the neutral spirit obtained from fermented mash of rye, potato, cassava, grains or any other carbohydrates of agricultural origin.

Vodka shall also conform to the general requirement specified in Part 1 and the requirements specified in Table-1.

6.7 Liqueur or Cordial or Apertifs: Liqueur or cordial or aperitif is an alcoholic beverage made from distilled spirit of agricultural origin that is flavoured with fruit, cream, herbs, spices, essential oils, and products of botanical origin. It may contain more than 2.5 per cent of sucrose, dextrose, laevulose, natural sweeteners (like honey), or a combination thereof.

Liqueur or cordials or aperitif shall conform to the general requirements specified in Part 1 and the requirements specified in Table-1.

#### 6.8 Whisky or Whiskey

Whisky is an alcoholic beverage made by distilling the fermented extract of malted cereal grains such as corn, rye, barley, or using neutral grain spirit or rectified grain spirit, or neutral spirit of agricultural origin, or their mixture. Whisky may also be of the following types:—

6.8.1 Malt or grain whisky: Malt or grain whisky is a distillate obtained from fermented mash of malted or unmalted cereals or a mixture of both with characteristic aroma and taste. It may also be of the following types:—

(i) Single malt whisky: Single malt whisky is a distillate obtained from fermented mash that uses one particular malted grain or malted barley, distilled in pot still only, and produced from a single distillery.

(ii) Blended malt whisky or blended grain whisky: Blended malt or grain whisky shall be a mixture of at least 2 per cent from barley malt or grain whisky, with neutral or rectified spirit.

Whisky shall also conform to the general requirement specified in Part 1 and the requirements specified in Table -1.

#### 6.9 Pot-still distilled spirit:

Pot-still distilled spirit is an alcoholic beverage obtained from multiple distillations of fermented molasses, jaggery (Gur), mash of cereals, potato, cassava, fruits (like grape), juice or sap of coconut and palm trees, agave plant, sugarcane juice, cashew apple, mahua flowers, or any other source of fermentable carbohydrates of agriculture origin.

Pot-still distilled spirit shall be free from any colouring matter except caramel, or natural color obtained by ageing in oak or other suitable wooden barrel, and finishing or infusing with wood chips.

Pot-still distilled spirit shall also conform to the general requirement specified in Part 1 and requirements specified in Table - 1.

### **Part 4**

#### **Wine and other Fermented Beverages**

##### 7.1 Wine

Save as specifically mentioned in different categories, wine shall be the un-distilled alcoholic beverage produced by the partial or complete alcoholic fermentation of the juice of fresh sound ripe grapes, including grape juice concentrate, restored or unrestored pure condensed grape must, and raisins:

Provided that a vintage wine is a wine made from grapes, at least 85 per cent of which were grown in a particular year and labelled as such. A season's yield of wine from a vineyard is a vintage wine. Wine may be of the following types:

7.1.1 Table wine or grape wine: Table or grape wine may be of the following types.

7.1.1.1 Red wine: Red wine shall be made from the grape varieties, red or mixture of red and white. The fermentation shall be carried out along with the grape skin to allow extraction of colour and tannins, which contribute to the typical colour and flavour of the wine.

Wine having pink colour produced during fermentation with less contact time with skin may be called as Rose wine, and shall conform to the requirement specified for Red wine.

7.1.1.2 White wine: White wine shall be prepared by fermentation of white grapes or from juice extracted after removal of skin of red grapes.

Based on sugar content Table wine may be of the following types:

(i) Dry wine: Dry wine is a wine that contains 0.4 up to 0.9 per cent. sugar.

(ii) Medium dry wine: Medium dry wine is a wine that contains more than 0.9 up to 1.2 per cent. sugar.

(iii) Medium sweet wine: Medium sweet wine is a wine that contains more than 1.2 up to 4.5 per cent. sugar.

(iv) Sweet wine: Sweet wine is a wine that contains more than 4.5 per cent. sugar.

3.1.2 Based on carbon dioxide content, wine may be of the following types:

3.1.2.1 Semi sparkling or Crackling: Semi sparkling or Crackling wine has a carbon dioxide content of 3.0 to 5.0g/l or 1.5 to 2.5 bar pressure, at 20°C resulting solely from either the primary or the secondary fermentation of the wine within a closed container, tank or bottle.

3.1.2.2 Sparkling: Sparkling wine has a carbon dioxide content of minimum 7.0 g/l or 3.5 bars pressure, at 20°C, resulting solely from either the primary or the secondary fermentation of the wine within a closed container, tank or bottle. Based on the sugar content the sparkling wine may be of the following types:

(i) Brut: It has sugar content below 1.2 per cent.

(ii) Extra-dry: It contains more than 1.2 up to 1.7 per cent. sugar with a tolerance of +0.3 per cent.

(iii) Dry: It contains more than 1.7 up to 3.2 per cent. sugar with a tolerance of +0.3 per cent.

(iv) Semi-dry: It is a wine which contains more than 3.2 up to 5.0 per cent sugar.

(v) Sweet: It contains more than 5.0 per cent sugar.

7.1.2.3 Carbonated wine: Carbonated wine is made effervescent with carbon dioxide other than that resulting solely from the secondary fermentation of the wine.

7.1.3 Fortified wine: Fortified wine is a wine with high alcohol content achieved by the addition of alcohol (brandy or wine spirits or neutral spirit of agricultural origin) provided a minimum 7.0 per cent comes from fermentation of grapes, grape must and fruits and used as aperitif or dessert wine. Fortified wine may be red or white, dry or sweet.

7.1.3.1 Aromatized wine: Aromatized wine is a fortified wine to which alcohol (brandy or wine spirits) and extract of aromatic herbs and or spices are added. The aromatized wines are of the following types:

(i) Vermouth: Vermouth is a wine having the taste, aroma and characteristics derived from the addition of extract of herbs and spices, attributed to vermouth, and shall be so designated.

(ii) Bitter aromatized wine: is an aromatized wine with a characteristic bitter taste.

(iii) Dessert wine: Dessert wine is generally sweet and fortified with grape brandy.

7.1.4 Wine from fruits other than grapes

Fruit wine is a wine produced from fruit other than grapes. It is produced by the normal alcoholic fermentation of the juice of sound, ripe fruit including restored or unrestored pure condensed fruit must. It may be of following types:

7.1.4.1 Cider: Cider is a fermented alcoholic beverage made from apple juice. It may be soft cider having alcohol content of more than 0.5 upto 5.0 per cent, or hard cider having an alcohol content of more than 5.0 upto 9.0 per cent.

7.1.4.2 Perry: Perry is a wine prepared from pear juice.

7.1.4.3 Other fruit wines: Such wine shall have the name of the fruit prefixed to wine.

7.1.5 Wine from other agricultural and plant sources:

Wine from other agricultural and plant sources may be produced by the normal alcoholic fermentation of the juice or sap of other agricultural and plant sources with or without the addition of sugar or jaggery. It may include the following:

7.1.5.1 Palm wine: Palm wine is a wine prepared from sap of palm trees and coconut palms.

7.1.5.2 Bamboo wine: Bamboo wine is a wine prepared from bamboo sap.

7.2 In addition to general requirement specified in Part 1 and the requirements specified in Table-2, wine shall also conform to the following requirements:

- (i) It shall be clear with characteristic colour, taste, bouquet and form of its type.
- (ii) It shall be preserved by pasteurization or by using preservatives specified in Food Safety and Standards (Food Product and Food Additives) Regulations, 2011 and shall be free from coliforms and pathogenic microorganisms.
- (iii) Water added in preparation of wine shall not be more than 30 ml per kg of grape or fruit.
- (iv) Wine may be ameliorated by adding separately or in combination, dry sugar or jaggery (not more than 20 per cent) before, during or after fermentation.

## **PART-5**

### **Beer**

#### **8.1 Beer**

Beer is a fermented alcoholic beverage made from barley malt or other malted grains, sometimes with added adjuncts like wheat, maize, corn, rice or other cereal crops, and with hops or hop extracts to impart a bitter taste and flavour.

Depending upon the ethyl alcohol content, beer maybe classified as under:

- (i) Regular or Mild—Abv more than 0.5 percent up to 5.0 per cent.
- (ii) Strong – Abv more than 5.0 per cent up to 8.0 per cent.

Beer may also be of the following types based on the yeast used during fermentation:

8.1.1 Lager: Lager beer is prepared by using bottom fermenting yeast and matured at low temperature. It can be found in colours from light to dark. Pilsner is a type of lager beer which is light in colour and has a medium hop flavour.

8.1.2 Ale: Ale beer is prepared by using top fermenting yeast and is usually lighter in colour. It is also prepared from pale malt and has a medium body.

8.1.2.1 Wheat beer: Wheat beer is brewed with a large proportion of wheat and may also contain a significant proportion of malted barley. Wheat beer is usually top-fermented. Wheat beer is sometimes hazy or cloudy with a touch of spicy notes.

8.1.2.2 Stout and porter: Stouts and porters are dark beers made using roasted malts or roasted barley and typically brewed with slow fermenting yeast.

8.2 Draught beer: Draught beer is a beer of all types i.e., lager, ale, stout and porter or wheat, and may or may not be pasteurized. It is served from a cask or keg.

8.3 In addition to the general requirement specified in Part 1 and the requirements specified in Table-3, beer shall also conform to the following requirements:

- i) It shall be clear (except wheat beer) with characteristic colour, taste, bouquet and form of its type. It shall be bottled or canned, and pasteurized or filter sterilized, except draught beer which may or may not be pasteurized or filter sterilized.
- ii) It shall be free from coliforms and other pathogenic microorganisms.

## **PART-6**

### **Specific Labelling Requirements for Alcoholic Beverages**

In addition to the general labelling provisions specified in the Act and labelling of pre-packaged food Regulations as applicable, every package containing alcoholic beverages shall also provide the following information on the label:-

9.1 Declaration of alcohol content: Alcohol content shall be expressed as per cent. abv or as proof.

9.2 Labelling of standard drink: One standard drink is the amount of beverage that contains in it 12.7 ml of abv as measured at 20°C. The label may include a statement of the approximate number of standard drinks in the package.

9.2.1 Geographical indicators or names may be used on the label solely for the products originating from that geographical region.

9.2.2 In case of imported alcoholic beverage, the provisions of the Food Safety and Quality (Import) requirements/guidelines shall apply.

9.2.3 Alcoholic beverage shall not contain any nutritional information on the label.

9.2.4 No health claim shall be made on alcoholic beverage.

9.2.5 The label of a package of a beverage containing more than 0.5 per cent abv shall not use the words 'non-intoxicating' or words implying similar meaning.

9.2.6 Food containing alcohol must not be represented in a form which expressly or by implication suggests that the product is a non-alcoholic confection or non-alcoholic beverage.

### 9.3 Labelling of wine

9.3.1 In addition to requirements mentioned in sub-regulations 9.2.1 to 9.2.6, the label on wine shall also:

- i) Indicate the origin (country) of wine and declare the amount of sugar.
- ii) List the name of variety of grape or fruit used in descending order of quantity provided such claim is made.
- iii) Declare the name of residues of preservatives or additives present as such, or in their modified forms, in the final product.

9.3.2 In addition the label on wine may:

- i) Declare generic name of the grape and its variety, or raw material used, geographic origin, and vintage year, provided such claims are made.
- ii) Declare the name of the place, or region, if 75 per cent the grapes come from that place.
- iii) Carry the name of a grape variety, the wine is made from at least 75 per cent from that grape variety.
- iv) Carry a date of vintage, if at least 85 per cent of the wine comes from that vintage.

9.3.4 Alcoholic beverage other than wine which contain less than 10 per cent alcohol shall mention the date, month and year of expiry on the label, in that order and shall precede by the words "Expiry date \_\_\_\_\_" or "Use by \_\_\_\_\_". However, the manufacturer may use the expression "Best before" as optional or additional information.

9.3.5 Allergen warning:

9.3.6 If the wine contains more than 10 mg sulfur dioxide per litre, the label must declare "Contains sulfur dioxide or Contains sulfite".

9.3.7 There shall be a statutory warning as mentioned below, printed in English language. Size of statutory warning shall not be less than 3 mm.

**CONSUMPTION OF ALCOHOL IS INJURIOUS TO HEALTH.**

**BE SAFE-DONT DRINK AND DRIVE.**

9.3.8 In addition to compliance with the Pre-packaged Food Labelling Regulations, \*\*\*, the following shall be indicated on the label:

- (a) Percentage of alcohol
- (b) Caution statement: Drink responsibly and 18+

## **PART - 7**

### **10. Packaging**

1. Alcohol shall be filled in suitable containers and shall not affect the quality of the beer.
2. Alcohol shall be sealed in airtight containers that shall meet the specifications of the respective standards for such material.

## **PART - 8**

### **11. Advertisement**

1. The content of advertisement shall be free of health claims.
2. Advertising and marketing materials shall not claim or represent that individuals cannot obtain social, professional, educational, athletic, or financial success or status without beer consumption.
3. Advertising or marketing materials shall not claim or represent that individuals cannot solve social, personal, or physical problems without beer consumption.
4. Advertisement shall not be permitted on children's programs nor shall children, sportsmen or expectant mothers be used as models.
5. Gift items promoting beer shall not be directed at children.

## **PART 9**

### **MISCELLANEOUS**

### **12. Penalty**

Any Person/Establishment who contravenes any of the provisions of these Regulations shall be guilty of an offence to a fine prescribed by the Authority under Schedule V or revocation of License or both.

## SCHEDULE

[Regulations.....]

Guides and Standards for Compliance

1. Gambian Standard for the Labelling of Prepackaged Foods [Gams Codex stan 1-1985]
2. General Standard for Food Additives CODEX STAN 192-1995
3. Codex Standard for Natural Mineral Waters (CODEX STAN 108-1981)

