

Questions	Responses									
<p>Please note that Food Standards Scotland may publish details that you supply in legitimate pursuit of the functions of the organisation. Do you agree to the publication of your personal details and response? - 1</p>	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.	Yes, all of my response and name/organisation can be published.
<p>What is your organisation? - Organisation</p>	Perth & Kinross Council	The Scotch Whisky Association	Scottish Retail Consortium	Dairy UK	Molson Coors Brewing Company (UK and Ireland)	Provision Trade Federation	Alcohol Focus Scotland	Advertising Standards Authority	The Portman Group	The Wine and Spirit Trade Association
<p>Should we introduce guidance or continue with specific legislation to define low alcohol descriptors? Please provide a reason for your answer. - Please answer yes or no</p>	No		Yes		Yes		No	No	Yes	No

<p><b>Should we introduce guidance or continue with specific legislation to define low alcohol descriptors? Please provide a reason for your answer. - Please explain your answer</b></p>	<p>Introduce specific legislation - the consultation summary page explains that guidance would be accepted if taking formal action for example in the event of any misleading labelling of a "low alcohol" product. However as an Enforcement Authority if the definitions are written within legislation it is preferable. In addition the standards already exist so the transition would be easier if these were adopted into legislation rather than new guidance created.</p>	<p>Yes. We believe guidance would be the best way forward.</p>	<p>We have been informed of the intention of the Department of Health and Social Care in England, to cover the English provisions, currently contained in a sunset clause, in guidance in the future. While it is regrettable the future provisions will not be covered in law, our preference is for consistency between the four British countries, and therefore we support the alcohol descriptors in Scotland, to be covered in guidance.</p>		<p>Our preferred option is for the Scottish Government and Food Standards Scotland (FSS) to provide guidance, working alongside industry and other stakeholders to describe low alcohol descriptors rather than legislate.</p>		<p>AFS does not believe that guidance is appropriate in this instance, and supports the use of legislation to define low-alcohol descriptors.</p> <p>We believe that the failure of industry to take action on alcohol labelling on a voluntary basis indicates that satisfactory outcomes are unlikely to be achieved through non-legislative means. For example, a review of previous industry-agreed labelling standards found that only 47% of labels met best-practice standards. (1) In addition, the Portman Group guidance on communicating alcohol and health-related information, reissued in 2017, no longer recommends that products contain the updated CMOs' guidance on low-risk drinking as a minimum requirement. (2) A recent review by the Alcohol Health Alliance found that only 7.5% of 320 different products surveyed contained the revised guidelines, and that even products launched after the publication of the revised guidelines contained out-of-date information. (3)</p> <p>We share the concerns expressed in the consultation paper that the absence of legislation on this issue may lead to the industry applying their own descriptors to products, potentially leading to confusion for consumers. It is therefore essential that clear, enforceable, mandatory rules are put in place so that consumers can know, with confidence, what they are purchasing.</p> <p>(1) Campden BRI (2014). Final Report on: audit of compliance of alcoholic beverage labels available from the off-trade with the Public Health Responsibility Deal Labelling Pledge. Campden BRI. Available from: <a href="http://webarchive.nationalarchives.gov.uk/20180201180301/https://responsibilitydeal.dh.gov.uk/wp-content/uploads/2014/11/Campden-BRI_Audit-of-PHRD-labelling-compliance-2014-_FINAL-report_October2014-final.pdf">http://webarchive.nationalarchives.gov.uk/20180201180301/https://responsibilitydeal.dh.gov.uk/wp-content/uploads/2014/11/Campden-BRI_Audit-of-PHRD-labelling-compliance-2014-_FINAL-report_October2014-final.pdf</a></p> <p>(2) The Portman Group (2017). Communicating alcohol and health-related information. The Portman Group. Available from: <a href="http://www.portmangroup.org.uk/docs/default-source/alcohol-health-toolkit/final-for-publication-08-sept-17.pdf?sfvrsn=2">http://www.portmangroup.org.uk/docs/default-source/alcohol-health-toolkit/final-for-publication-08-sept-17.pdf?sfvrsn=2</a></p> <p>(3) Alcohol Health Alliance (2018). Our Right to Know: How Alcohol Labelling is Failing Consumers. London: Alcohol Health Alliance. Available at <a href="http://12coe215v41j2cf7acjzaoth.wpengine.netdna-cdn.com/wp-content/uploads/2018/09/OUR-RIGHT-TO-KNOW-final.pdf">http://12coe215v41j2cf7acjzaoth.wpengine.netdna-cdn.com/wp-content/uploads/2018/09/OUR-RIGHT-TO-KNOW-final.pdf</a></p>	<p>The ASA would prefer continuation of legislation over guidance. We have some concerns that guidance could imply to advertisers that descriptors such as 'low-strength' are up for negotiation which could put the ASA in a difficult position when enforcing the UK Advertising Codes' rules. We believe that providing guidance, rather than legislation, would only be practicable if the legislation were to explicitly direct the courts to have regard to the guidance during proceedings and, in respect of advertising, refer positively to the UK Advertising Codes' requirements.</p> <p>The alcohol sections of the Codes define low alcohol as 0.5-1.2%. Rules 18.9 in the CAP Code and 19.10 in the BCAP Code grant an exception for ads for low-alcohol drinks, allowing them to make a virtue of the alcohol strength. Rules 18.17 in the CAP Code and 19.18 in the BCAP Code refer to the definition of low-alcohol strength to reflect the NHCRs, and state that the only permitted nutrition claims in alcohol adverts are "low-alcohol", "reduced alcohol" and "reduced energy" and any claim likely to have the same meaning for the consumer.</p> <p>Any perceived flexibility around the definition of low-alcohol could lead some advertisers to make a virtue of the strength of a beverage (above 1.2%) which is nonetheless intoxicating.</p> <p>The ASA could be challenged as to why it has drawn the line at 1.2% if guidance implies greater flexibility.</p>	<p>The Portman Group is supportive of the SG's first proposed option of providing guidance, working with industry and other stakeholders to describe low alcohol descriptors, when the sunset clause takes effect in December 2018. We welcome the SG's positive recognition of self-regulation and its ability to be as effective as legislation. Through the work of the Portman Group and its Codes of Practice<sup>3</sup>, the industry has a strong track record of self-regulation: removing from the market products and promotions that are found by the Independent Complaints Panel to breach the Code; and, encouraging industry to market its products responsibly by offering free advice and guidance.</p> <p>The Portman Group, through its free Advisory Service, already provides guidance to the industry on naming, packaging and promotion, and would welcome further discussion with officials on how we can best support the development and implementation of new guidance.</p> <p>The Portman Group supports the principle that the relevant enforcement authorities would still be expected to have regard to the guidance when assessing whether a descriptor was misleading; this will provide the necessary 'regulatory' framework. Misleading descriptors have the potential to cause harm to consumers and the relevant enforcement authorities would need the power and resource to deal with such products quickly and consistently.</p> <p>In 2017 the Portman Group produced new guidance for industry on how to communicate alcohol and health-related information to consumers, across multiple channels including on-pack. As part of this, the Department of Health and the Food Standards Agency agreed a two year timetable for removing out-of-date information; this allowed producers to continue to sell-through stock before the deadline. We believe that a similar grace period should be put in place for industry to comply with new guidance.</p> <p>We agree that it is sensible to keep the proposed guidance under review and to assess its effectiveness. However, we disagree that this should be reviewed in five years' time. If guidance is not effective, negative practices could become embedded during this time and enforcement authorities, as well as consumers, could suffer. We would recommend reviewing the guidance in three years' time with a two-year grace period followed by an audit of the market in order to determine the success of guidance.</p> <p>1 AB InBev, Bacardi Brown-Forman Brands, Carlsberg, Diageo, Heineken, Mast-Jagermeister UK Ltd, Molson Coors, Pernod Ricard, 2 Polling conducted by Club Soda showed that 83% of consumers questioned were trying to reduce their overall alcohol consumption when purchasing low and no alcohol products (data excludes ARUK recipient answers 3 Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks; Code of Practice on Alcohol Sponsorship</p>	<p>There are a number of ways that the use of descriptors could be overseen that does not include legislation. The industry currently has a range of self-regulatory measures implemented in a number of ways including joint trade association advice; agreements with a primary authority as assured advice; guidance published in co-operation with the Food Standards Agency or the Trading Standards Institute; guidance and codes through organisations like the Portman Group or Advertising Standards Authority; and general best practice guidance.</p> <p>Therefore, there are a number of forms industry led guidance could take that would not require legislation. Vital to this is broad agreement from across the trade to the same terms and the WSTA would welcome the opportunity to support the development of such guidance.</p>
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Should the existing descriptor for 'low alcohol' meaning not more than 1.2% ABV be retained? If 'no' what would you prefer as an alternative? - Please answer yes or no	Yes	Yes	Yes		Yes		Yes		Yes	Yes
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<p>Should the existing descriptor for 'low alcohol' meaning not more than 1.2% ABV be retained? If 'no' what would you prefer as an alternative? - Please explain your answer</p>	<p>Yes, the existing descriptor should be retained, as the trend for this type of product is growing it is important to keep the current guidelines to maintain a set standards for all "low alcohol" products.</p>		<p>Yes, we believe this value should be maintained.</p>		<p>Yes. The existing 'low alcohol' descriptor should be retained with 1.2% ABV as the upper limit for low alcohol.</p>		<p>We support the availability of low-alcohol products as options for people wishing to reduce their alcohol consumption and are in favour of retaining the existing descriptor for 'low alcohol' meaning not more than 1.2% ABV. This would maintain consistency with HM Revenue and Customs (HMRC) who use the 1.2% ABV as the point below which drinks are exempt from certain alcohol duty.</p> <p>We are aware there is conflicting evidence about what the public expect this descriptor to mean. A study conducted by the Behaviour and Health Research Unit at Cambridge University, published in 2017, found that "a majority of participants perceived the alcohol content of products labelled with low descriptors as far higher in strength than the currently legislated cap of 1.2% ABV for any product using a label 'low' in relation to alcohol content."(4) The average (median) perceived strength of 'low alcohol' products in the study was around 2.8% ABV. This research suggests the public would expect 'low alcohol' products to be up to 2.8% ABV.</p> <p>Conversely, research done in 2018 by Alcohol Concern / Alcohol Research UK and Club Soda found that 56% of respondents expected a 'low alcohol' beer to contain up to 0.5% ABV. (5) Because respondents to this survey were members of Club Soda, a group of people trying to be mindful about their alcohol consumption, these results may not reflect the wider UK population, though they provide insight into the views of people motivated to change their drinking behaviour.</p> <p>We would have particular concerns around setting the descriptor at a level higher than 1.2%, as this could make it more difficult for those looking to consume lower-alcohol products. In addition, we are aware of evidence that lower strength alcohol labelling could increase the total volume of alcohol consumed on a single drinking occasion when compared to regular strength alternatives, (6) and that the marketing of lower strength products could encourage people to extend the number of drinking occasions, e.g. drinking lower strength products at lunchtimes when previously they might not have consumed alcohol. (7) We would therefore have concerns that increasing the definition of 'low alcohol' to a higher % ABV could negatively impact on consumers.</p> <p>AFS therefore supports the retention of the existing descriptor for 'low alcohol' as 1.2% ABV.</p> <p>(4) Vasiljevic M, Couturier D, Marteau TM. Impact of low alcohol verbal descriptors on perceived strength: An experimental study. British Journal of Health Psychology. 2018;23(1):38-67. doi:10.1111/bjhp.12273.</p> <p>(5) Survey developed jointly by Alcohol Research UK / Alcohol Concern and Club Soda, January to March 2018. 556 responses were received, 530 said they had ever purchased a low alcohol product.</p> <p>(6) Vasiljevic, M., Couturier, D. L., Frings, D., Moss, A. C., Alberty, I. P., &amp; Marteau, T. M. (2018). Impact of lower strength alcohol labelling on consumption: A randomized controlled trial. Health Psychology.</p> <p>(7) Vasiljevic, M., Coulter, L., Petticrew, M., &amp; Marteau, T. M. (2018). Marketing messages accompanying online selling of low/er and regular strength wine and beer products in the UK: a content analysis. BMC Public Health, 18(1): 147.</p>	<p>The CAP and BCAP Codes currently include definitions which reflect existing labelling regulations; these define which products will be captured by the particular alcohol rules.</p> <p>The Codes define alcohol as equal or greater than 0.5% and low alcohol as 0.5 – 1.2%. The Codes do not refer to the terms 'dealcoholised', 'alcohol-free' or 'non-alcoholic' so the guidance on these terms must be clear for industry and for the independent ASA, which may consider the use of those terms in the context of the overall ad, to ensure the advertising doesn't mislead or encourage or endorse harmful drinking. A lack of clarity could lead to confusion for consumers which in turn could result in complaints to the ASA on grounds of misleading advertising, harm or serious or widespread offence. For example if a product was perceived by religious groups or pregnant women as being alcohol free when that was not the case.</p> <p>We would be happy to discuss this response with Food Standards Scotland if you require further information on our position.</p>	<p>We believe it is desirable to keep 1.2% ABV as the upper limit for low alcohol but that a new lower threshold starting at above 0.5% ABV should be introduced to be consistent with the Licensing (Scotland) Act 2005 definition of alcohol and existing practice in the majority of European Countries. Introducing a minimum strength of above 0.5% ABV to the category of 'low alcohol' would introduce consistency with legislation, regulations and the UK marketing regulatory framework:</p> <ul style="list-style-type: none"> <li>• Section 2 of the Licensing (Scotland) Act 2005 defines alcohol as a product which exceeds 0.5% ABV and it therefore seems practical and logical to describe products which are 0.5% or below by a term(s) other than low-alcohol (such as alcohol-free or non-alcoholic; for further information please see response to questions 5 and 6).</li> <li>• The Nutrition and Health Claims Regulations 2006 (NHRC) use 1.2% ABV as a threshold above which health and nutrition claims cannot be made (with limited exceptions).</li> <li>• The Portman Group's Codes of Practice, and the UK Broadcast and Non-broadcast Advertising Codes (BCAP and CAP Codes) define an 'alcoholic drink' as any alcoholic drink above 0.5% ABV.</li> <li>• The consultation document states that most products on shelves described as 'low alcohol' tend to be in the range of 0.5% to 1.2% ABV anyway. Therefore, it would be rational to formalise this range to provide a distinction between other non-alcoholic/alcohol free products at or below 0.5% ABV which, at the moment, can also be described as low alcohol.</li> </ul>	<p>A significant majority of WSTA members supported retaining the limit of 1.2% ABV descriptor for low alcohol and this seems a sensible level for this descriptor.</p>
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<p>Should the descriptor 'dealcoholised' be retained? If 'no' do you believe another descriptor could be used in its place and if so, what this descriptor should be? - Please answer yes or no</p>	Yes	No	Yes		No		No				No	Yes
<p>Should the descriptor 'dealcoholised' be retained? If 'no' do you believe another descriptor could be used in its place and if so, what this descriptor should be? - Please explain your answer</p>	<p>Yes, the term is easy to understand, and fits a product which has been made in the same way as wine but had the alcohol removed. It allows there is to be clear difference between this and other non-alcohol / alcohol free products.</p>	<p>It is a confusing term for consumers. Products produced in this way (i.e. following fermentation the alcohol is removed to contain no more than 0.5% ABV) should be covered by the term non-alcoholic.</p>	<p>Yes, we believe this descriptor should be maintained. The descriptor was not used for a few years; however, in the past year, due to the introduction of new technologies to produce certain products, this term has come back in use.</p>		<p>No. We believe that 'dealcoholised' is an unhelpful and negative descriptor which has the potential to be misleading. We believe the term non-alcoholic should be permitted to be used more widely upto 0.5% ABV. We also believe that the alcohol free descriptor should be maintained and for this to continue at 0.05% ABV.</p>		<p>As highlighted in the consultation paper, the term 'de-alcoholised' does not resonate well with the public. What matters to consumers is the strength of the drink they are consuming, not how the product has been manufactured. We believe that this descriptor is not needed; products currently in this category should not be classified separately from other alcohol products. It would instead be most appropriate to use the 'alcohol-free' or 'non-alcoholic' descriptor (see our response to questions 8 and 9).</p>		<p>The CAP and BCAP Codes currently include definitions which reflect existing labelling regulations; these define which products will be captured by the particular alcohol rules. The Codes define alcohol as equal or greater than 0.5% and low alcohol as 0.5 – 1.2%. The Codes do not refer to the terms 'dealcoholised', 'alcohol-free' or 'non-alcoholic' so the guidance on these terms must be clear for industry and for the independent ASA, which may consider the use of those terms in the context of the overall ad, to ensure the advertising doesn't mislead or encourage or endorse harmful drinking. A lack of clarity could lead to confusion for consumers which in turn could result in complaints to the ASA on grounds of misleading advertising, harm or serious or widespread offence. For example if a product was perceived by religious groups or pregnant women as being alcohol free when that was not the case. We would be happy to discuss this response with Food Standards Scotland if you require further information on our position.</p>	<p>The Portman Group believes that the term de-alcoholised is best suited to describing a manufacturing process rather than being useful as a descriptor. In recent YouGov polling, commissioned by the Portman Group, 84% of consumers polled were not familiar with the descriptor de-alcoholised, and 75% found the term confusing(4); therefore we recommend removal of the descriptor. The polling also showed, however, that consumers think it is important to know if a product once contained alcohol, even if the final product no longer does(5). Therefore, consumers should still be able to locate this information on the product, and producers can use text to describe the process by which alcohol is extracted rather than using the descriptor de-alcoholised; which consumers do not understand. As explained further in our response to questions 5 and 6, the descriptor alcohol-free or non-alcoholic could then apply to this category. 4YouGov polling: All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 2048 adults. Fieldwork was undertaken between 24th - 25th April 2018. The survey was carried out online. The figures have been weighted and are representative of all GB adults (aged 18+). 5 65% think it is important that consumers are made aware if a product had once contained alcohol, even if it had been removed from the final product</p>	<p>The continued use of 'dealcoholized' is supported by some members of the WSTA as this term is currently used on a number of products, particularly a number of products made from wine. However, there is also a strong support for other terms to be used at the 0.5% level including greater use of alcohol free or non-alcoholic. It is likely that dealcoholized is used as this is the only term that can be currently used for products at 0.5%, whereas alcohol-free would be the preferred choice of language for many. It is important to note that some products are currently marketed as "alcohol-free" despite being at 0.5%. The WSTA continues to believe it is important that there is a specific descriptor for drinks at 0.5% as this is the ABV level at which drinks become licensable as alcohol and it is likely that this is causing confusion over when the term alcohol-free can be used. The WSTA believe that dealcoholized can continue to be used alongside other descriptors at 0.5% abv.</p>	
<p>Do you agree that the term 'non-alcoholic' should be permitted to be used otherwise than in connection with sacramental and communion wines? If 'no', please provide a reason why. - Please answer yes or no</p>	No	Yes	Yes		Yes						Yes	Yes

<p><b>Do you agree that the term 'non-alcoholic' should be permitted to be used otherwise than in connection with sacramental and communion wines?</b></p> <p><b>If 'no', please provide a reason why.</b></p> <p><b>- Please explain your answer</b></p>	<p>No, I think there is the opportunity to provide a definition which is clear, as per the consultation summary page the terms "non-alcoholic" and "alcohol free" have a similar meaning and the consumer is unlikely to differentiate between the two. There is therefore the opportunity to clarify these terms and make a clear meaning.</p>	<p>Products of strength 0.5% ABV and below should be permitted to use the descriptor non-alcoholic. This categorisation ties in with the definition of alcohol set out in the Licensing (Scotland) Act 2005.</p>	<p>Yes, we believe the term non-alcoholic should be seen as an equivalent to alcohol-free, since this is what consumers understand, and be allowed for use in drinks other than sacramental and communion wines.</p>		<p>Yes. We believe the term non-alcoholic should be able to be used more widely upto 0.5% ABV.</p>		<p>Please see our answer to question 9 - we have considered questions 8 and 9 together as we believe these questions are linked.</p>	<p>The CAP and BCAP Codes currently include definitions which reflect existing labelling regulations; these define which products will be captured by the particular alcohol rules.</p> <p>The Codes define alcohol as equal or greater than 0.5% and low alcohol as 0.5 – 1.2%. The Codes do not refer to the terms 'dealcoholised', 'alcohol-free' or 'non-alcoholic' so the guidance on these terms must be clear for industry and for the independent ASA, which may consider the use of those terms in the context of the overall ad, to ensure the advertising doesn't mislead or encourage or endorse harmful drinking. A lack of clarity could lead to confusion for consumers which in turn could result in complaints to the ASA on grounds of misleading advertising, harm or serious or widespread offence. For example if a product was perceived by religious groups or pregnant women as being alcohol free when that was not the case.</p> <p>We would be happy to discuss this response with Food Standards Scotland if you require further information on our position.</p>	<p>The Portman Group agrees that the term non-alcoholic should be permitted a broader use than is currently permitted in legislation. The term non-alcoholic is already being widely used on products other than sacramental and communion wines and is the low alcohol descriptor that consumers are most familiar with (in terms of recognition as a phrase) (6).</p> <p>There are a number of definitions - alcohol-free (if imported), dealcoholised (as above) and low alcohol - in use for products of 0.5% ABV and below, whether permitted under legislation or not, which are being used inconsistently according to product strength. This exacerbates consumer confusion. The term non-alcoholic has also become common parlance to indicate a strength up to and including 0.5% ABV and this adds another layer of confusion for consumers to navigate when trying to make informed decisions about their alcohol intake.</p> <p>In our YouGov polling, consumers were asked if it would be clearer to have one term to define a category containing no more than 0.5% ABV: 68% answered that one term would be clearer (7); Portman Group's preference is also for one term.</p> <p>However, we also acknowledge that some of the current definitions (alcohol free and non-alcoholic) are already widely in use, even if they are not the meanings set in legislation, and it is important to align consumers' perceptions of the terms with any proposed amendments. 79% of consumers thought that the term non-alcoholic meant that a product contained no alcohol; and 84% of GB adults thought the same of the term alcohol-free, with consumers being marginally more familiar with the term non-alcoholic (91%) compared to alcohol-free (88%)(8). This could suggest that both alcohol-free and non-alcoholic could be used interchangeably to describe ≤ 0.5% ABV; this would reflect the current market-use and consumer perceptions.</p> <p>6 YouGov polling - 91% of consumers polled were familiar with the term non-alcoholic 7 YouGov polling 8 YouGov polling</p>	<p>The WSTA believes the legislators should consider the impact of extending the use of the term non-alcoholic further, given the term is used on products in other markets. There is a caveat that needs to be considered. There is a distinction between products that have not been through any type of fermentation compared to those that been fermented and had the alcohol removed or the fermentation process halted during the process to reduce the alcohol content. Should it be used more widely than sacramental or communion use then, the use of non-alcoholic could be used for products that have been through some production process, to distinguish it from just grape juice being labelled as non-alcoholic wine or apple juice being advertised as non-alcoholic cider. However, there are ways to ensure that the term can be used and these problems avoided. For example, it can apply only to products that are packaged as an alcoholic drink, to distinguish it from fruit juices.</p> <p>Regardless of the outcome, the WSTA believe it is vital that the term non-alcohol wine should be retained at the very least for use for sacramental and communion wines, as it is currently defined, as this is an important descriptor for wine for religious purposes.</p>
<p><b>Should the descriptor 'alcohol free' be retained and for this to continue at 0.05% ABV?</b></p> <p><b>We welcome your reasoning for your answer and any alternative suggestions.</b></p> <p><b>- Please answer yes or no</b></p>	<p>Yes</p>	<p>Yes</p>	<p>Yes</p>		<p>Yes</p>		<p>Yes</p>		<p>Yes</p>	<p>Yes</p>

<p><b>Should the descriptor 'alcohol free' be retained and for this to continue at 0.05% ABV?</b></p> <p><b>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</b></p>	<p>Yes, this is important as it set maximum standards of the alcohol volume of products which are "alcohol free", controls are needed for this in the marketplace and for enforcement.</p>	<p>Yes the descriptor should be retained and the threshold raised to 0.5%. The terms alcohol-free and non-alcoholic should be able to be used interchangeably for products of a strength up to 0.5%. This would be compatible with the definition of alcoholic product as set out in the Licensing (Scotland) Act 2005.</p>	<p>Yes, we believe this descriptor should be maintained and for safety reasons related to drink-driving it is important that the descriptor is maintained at this level. Furthermore, we believe that consumers expect a drink described as alcohol-free to contain no alcohol.</p>	<p>Yes, we believe that the descriptor 'alcohol free' should be maintained, and for this to continue at 0.05% ABV.</p> <p>Whilst we recognise the current challenge of some European products labelled as 'alcohol free' at 0.5% ABV, we believe that from the consumer perspective it is counter-intuitive to raise the ABV of the alcohol free descriptor when 0.05% ABV products are widely available on the market.</p>	<p>There is no meaningful difference between the terms 'alcohol free' and 'non-alcoholic'. To avoid confusing consumers we recommend that only one of these terms should be used.</p> <p>We are content for this descriptor to remain at 0.05% ABV. Ideally, this descriptor would signal 'absolutely no alcohol'. In practice it is very difficult to produce fermented products that have absolutely no alcohol, and a number of products not designated as wine, beer or spirits contain alcohol at this level or above. (8) 0.05% ABV represents trace levels of alcohol.</p> <p>While we recognise there is a case to be made for this descriptor to be expanded to 0.5% ABV, we would have concerns about how this relates to the public's expectations of what alcohol-free/non-alcoholic means. For example, the Alcohol Concern / Alcohol Research UK and Club Soda research found that 47% of respondents would expect an 'alcohol-free' product to contain absolutely no alcohol. (9) We regard it as unlikely that the public would understand it is very difficult to consume alcohol products at 0.5% ABV or below more quickly than the alcohol is metabolized by the body. We would therefore highlight as a risk of increasing the descriptor to 0.5% the potential to cause upset or alarm amongst consumers who are avoiding alcohol for religious, personal or health reasons. This highlights the importance of clear and unambiguous labels to ensure consumers are able to make informed choices about which products they drink.</p> <p>(8) See Gorgus, E., Hittinger, M. and Schrenk, D. (2016). Estimates of ethanol exposure in children from food not labelled as alcohol-containing. <i>Journal of Analytical Toxicology</i>, 40: 537-42</p> <p>(9) <a href="https://www.alcoholconcern.org.uk/blog/alcohol-free-drinks-lets-get-things-clear#_edn1">https://www.alcoholconcern.org.uk/blog/alcohol-free-drinks-lets-get-things-clear#_edn1</a></p>	<p>The CAP and BCAP Codes currently include definitions which reflect existing labelling regulations; these define which products will be captured by the particular alcohol rules.</p> <p>The Codes define alcohol as equal or greater than 0.5% and low alcohol as 0.5 – 1.2%. The Codes do not refer to the terms 'dealcoholised', 'alcohol-free' or 'non-alcoholic' so the guidance on these terms must be clear for industry and for the independent ASA, which may consider the use of those terms in the context of the overall ad, to ensure the advertising doesn't mislead or encourage or endorse harmful drinking. A lack of clarity could lead to confusion for consumers which in turn could result in complaints to the ASA on grounds of misleading advertising, harm or serious or widespread offence. For example if a product was perceived by religious groups or pregnant women as being alcohol free when that was not the case.</p> <p>We would be happy to discuss this response with Food Standards Scotland if you require further information on our position.</p>	<p>The Portman Group believes that the descriptors alcohol-free and non-alcoholic are useful and known to consumers in the UK and globally; we would therefore agree that alcohol-free should be retained (9). However, as set in our response to question 3, if products above 0.5% but not more than 1.2% ABV are defined as low alcohol, then the threshold for alcohol-free should be amended to fill the gap and include products of no more than 0.5% ABV.</p> <p>The Portman Group agrees that it is important that descriptors meet public expectations and such descriptors need to be fit for purpose if they are to gain public acceptance. Currently, alcohol-free is only permitted for products with an ABV of no more than 0.05%. The UK is the only European country with this threshold; the majority of Europe consider alcohol-free as no more than 0.5% ABV (10).</p> <p>As the UK definitions are only considered national measures there are no requirements for imported alcoholic drinks to comply with these standards. UK consumers could therefore see products side-by-side on a shelf with a range of strengths up to 0.5% described as alcohol-free.</p> <p>In support of raising the alcohol-free threshold to 0.5% it is worth understanding how alcohol is metabolised. It is well documented (11) that the average person breaks down alcohol at a rate of approximately one unit per hour (12). At 0.5% ABV, it would be necessary to consume two litres of liquid within an hour (i.e. six standard beer bottles or 2.66 bottles of wine) to reach a total intake of one UK unit of alcohol; and, by the time enough liquid had been consumed to equate to one unit, the process of metabolising the alcohol already consumed would be underway. Drinking any liquid at this rate or faster would be physically difficult and potentially dangerous. The Government's Eatwell Guide (13) recommends drinking 6-8 glasses of liquid a day, equivalent to just 1.2 litres. It is therefore reasonable to assume that an average individual would not, and could not, consume two litres of liquid per hour, which is what would be required for the alcohol to stay in the bloodstream.</p> <p>The proposed definition of alcohol-free should also be considered in context of other specific groups who may be actively seeking to avoid alcohol such as pregnant women, recovering alcoholics, religious groups who cannot consume alcohol, and drivers. Any product that can ferment produces alcohol as it ripens/matures. Therefore, products like fruit juices, botanically brewed beverages, vinegar and leavened bread can contain a higher ABV than 0.05% - the current alcohol-free descriptor. The inconsistency applied to alcohol-free products in comparison to soft drinks and food stuffs demonstrates that there is a case for the definition threshold to be raised. There are botanically brewed products, such as lemonades, containing up to 0.5% ABV, and yet they do not have to describe themselves as an alcohol product. If the alcohol content of the lemonade in this scenario is deemed to be safe and/or suitable for certain groups, then it should follow that any product of no more than 0.5% ABV should be considered suitable and safe, including those described as alcohol-free at 0.5%.</p> <p>Most products in this potential alcohol-free category, including soft drinks and foods stuffs, can never be entirely free of all alcohol but in light of the way trace alcohol is metabolised, as outlined above, we consider that most consumers would consider this a reasonable definition if presented with all the information in context. We believe there exists a deep issue with public understanding of the current alcohol descriptors; we suggest qualitative survey polling be carried out to gauge public understanding. We believe that consumers would be receptive to the 'up to and including 0.5% ABV' alcohol-free definition if this were presented alongside the alcohol content of every day food stuffs, soft drinks, hygiene products and information on the rate at which the body metabolises alcohol at this level.</p> <p>By condensing the terms alcohol-free and non-alcoholic and removing the term dealcoholised the categories will be easier to understand and will create consistency across most of Europe and with the Licensing (Scotland) Act 2005. Both consumers and producers have demonstrated a preference for this and we would encourage the SG to carefully consider this proposal.</p> <p>9 For the purposes of this question we will continue to refer to the potential category of 0-0.5% as alcohol-free but as previously stated we are also agreeable for the term non-alcoholic to be used</p> <p>10 In the EU an alcoholic beverage must be above 0.5% ABV for duty to be payable</p> <p>11 <a href="https://www.drinkaware.co.uk/alcohol-facts/alcoholic-drinks-units/what-is-an-alcohol-unit/">https://www.drinkaware.co.uk/alcohol-facts/alcoholic-drinks-units/what-is-an-alcohol-unit/</a></p> <p>12 Subject to several factors such as height, weight, gender and overall health</p> <p>13 <a href="https://www.gov.uk/government/publications/the-eatwell-guide">https://www.gov.uk/government/publications/the-eatwell-guide</a></p>	<p>The WSTA and majority of its members believe that alcohol-free should be retained as a low alcohol descriptor. Particularly this fits with existing consumer terminology such as fat-free or sugar-free, is a widely understood descriptor and is used across other markets around the world.</p> <p>However, we do believe there is merit in extending the term to products up to 0.5%. The UK's licensing regime treats any product with over 0.5% as alcoholic and products below this level are not licensable and are often considered alcohol-free (or even non-alcoholic). The industry would like to use the term alcohol free more extensively as this is more common than the existing terms dealcoholized.</p> <p>Additionally, we believe that this would reduce confusion that may be caused by having the definition of alcohol for licensing purposes to be above 0.5%.</p> <p>Having a clear level at 0.5% and the capacity to use a number of descriptors at below this level - dealcoholized, alcohol-free or non-alcoholic - would be a simple and clear approach.</p>
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<p><b>Do you have any further comments? - Additional comments</b></p>	<p>As the standards already exist it would make minimum impact to transfer these into new legislation. I am not aware of any issue with the current standards being applied; therefore it does not require much change. However it does give the opportunity to provide clear definitions as detailed in comments above.</p>	<p>No.</p>	<p>It is very important that FSS, Government Departments and agencies are aligned and approach low alcohol as a broad project and not just a collection of individual tasks. FSS should actively coordinate with DHSC, the Treasury on lower duties for low or no alcohol alternatives, other teams on general consumer communication and understanding and with the ASA on advertising matters, with the ultimate aim of helping improve the health of the nation.</p>		<p>Molson Coors is one of the world's largest brewers and one of the largest in the UK with over 2,285 employees and breweries in Burton-on-Trent, Tadcaster, Burtonwood, Sharp's brewery in Cornwall, and Aspall cyder house in Suffolk.</p> <p>Our UK &amp; Ireland Head Office is in Burton-on-Trent and we have regional offices in Edinburgh, London and Belfast. Our National Contact Centre is in Cardiff.</p> <p>Molson Coors has a market share of around 19% of the UK beer market and a portfolio that includes Coors Light, Doom Bar, Staropramen, Blue Moon, Pravha, Aspall, Carling, Cobra, Worthington's, Caffrey's, Singha, Rekorderlig and Grolsch.</p> <p>Our range of low and no alcohol products includes Cobra Zero, Bavaria 0.0% and Rekorderlig low alcohol.</p>		<p>We note the result of the low alcohol descriptors public consultation by the Department for Health and Social Care in England is to retain the existing four descriptors using guidance rather than legislation. As noted above, AFS believes that there is a strong case to be made for moving to two alcohol descriptors: 'low alcohol' meaning not more than 1.2% ABV, and either 'non-alcoholic' or 'alcohol free' meaning not more than 0.05% ABV. These descriptors would remove any ambiguity and confusion around low-alcohol products, enabling consumers to make informed choices about which products they drink.</p> <p>However, we recognise the benefits of a consistent approach to low alcohol descriptors across the UK and the potential for different approaches to increase public confusion on this issue. Overall, there is a lack of information around what the public understand by the various descriptors, and what impact any changes to them would have on drinking behaviour. Moving forward, we would recommend Food Standards Scotland gather further evidence on public understanding of these descriptors and the impacts of any changes. We therefore welcome the commitment to review and assess the impact of the final decision, although we would suggest a shorter time frame for this review to provide the opportunity for action to be taken as soon as is practicable if required.</p> <p>In addition, although the Department of Health and Social Care has opted to move from regulation to guidance for the low alcohol descriptors, Alcohol Focus Scotland strongly advocates for the descriptors to remain within legislation in Scotland. We therefore would support Option 2 of the proposals, subject to our concerns about the number of descriptors. Given our concerns about industry self-regulation of labelling, we do not think reliance on guidance is appropriate even with the regulatory controls identified in the consultation. A legislative approach would provide greater clarity for industry and consumers and put enforcement on a stronger footing if the descriptors are not adhered to.</p> <p>We believe that alongside this work on no- and low-alcohol descriptors, a mandatory regime of labelling should be introduced across all alcohol product labels, whereby all labels must provide the ABV and unit content of products, as well as the Chief Medical Officers' low-risk weekly drinking guidelines.(10) Product labels should also contain warnings of the harms associated with alcohol consumption.</p> <p>(10) Alcohol Health Alliance (2018). Our Right to Know: How Alcohol Labelling is Failing Consumers. London: Alcohol Health Alliance. Available at <a href="http://12coez15v41j2cf7acjzaodh.wpengine.netdna-cdn.com/wp-content/uploads/2018/09/OUR-RIGHT-TO-KNOW-final.pdf">http://12coez15v41j2cf7acjzaodh.wpengine.netdna-cdn.com/wp-content/uploads/2018/09/OUR-RIGHT-TO-KNOW-final.pdf</a></p>			<p>Although the current descriptors are in legislation, the use of the terms on packaging is not compulsory, nor is the labelling of the alcoholic strength by volume (ABV) of products below 1.2% ABV (although most voluntarily include the ABV). If the SG's ultimate aim is to improve consumer understanding we would suggest that guidance recommends that all products up to and including 1.2% ABV should specify the ABV alongside the agreed descriptor. This will enable all consumers to make informed responsible drinking choices. Retailers will also be better informed when categorising these products, particularly in an online retail space. It will enable those groups outlined above to see exactly what trace levels of alcohol are contained in any products.</p> <p>Research commissioned from Britain Thinks and Populus by the Royal Society of Public Health (RSPH) and the Portman Group indicates that consumers would welcome this: 81% of respondents felt it was important to include the ABV on labels(14).</p> <p>We would also advise that regard needs to be given to the terms permitted under the NHRC. Under the NHRC, certain terms are also permitted which allow products with reduced alcohol content to be labelled as 'light' or 'lite'. It would therefore seem practical to limit the number of descriptors in guidance while other terms from the NHRC can be applied to the same lower strength products(15). For instance, if a beer had reduced its alcohol content by 30% to a strength of 1.2% this could be called 'low', 'light', 'lite' or 'lower' beer.</p> <p>The Portman Group is concerned that different low alcohol descriptors in devolved administrations will only lead to more confusion and inconsistency in the application of terms. We would encourage the SG to seek UK-wide agreement on such terms to deliver clarity and consistency for both consumers and the industry.</p> <p>In the event that the SG extends the Sunset Clause, the Portman Group would like to offer its support in convening a working group to assist in the development and implementation of resulting guidance.</p> <p>14 <a href="http://britainthinks.com/pdfs/RSPH-Portman_Alcohol-labelling-research_Combined-Report_FINAL.pdf">http://britainthinks.com/pdfs/RSPH-Portman_Alcohol-labelling-research_Combined-Report_FINAL.pdf</a> 15 Article 4(3) of EU Regulation No. 1924/2006 prohibits health claims on or about drinks containing more than 1.2% ABV and all nutrition claims other than 'reduced alcohol', 'low alcohol', and 'reduced energy (calorie) claims'.</p>	<p>It is important to highlight that the UK's duty regime, licensing laws, product descriptors and advertising rules are not currently aligned when it comes to the definitions of low alcohol products. Changes to descriptors should therefore be considered in the context of these regimes and effort should be made to ensure consistency across the UK.</p> <p>From a spirits perspective, currently there are no descriptors that can be used with terms like gin or spirits, as this is restricted in a way that it is not for beer or wine. There is merit therefore on considering reviewing these regulations as the market for these products changes. While it is not in scope of this consultation it is an important point to highlight in the context of low alcohol descriptors.</p>
<p><b>Do you agree that the compositional requirements for milk fats and water in the named variety of cheeses as outlined in Table 1 be retained in Scottish legislation?</b></p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please answer yes or no</p>	<p>Yes</p>		<p>No</p>	<p>No</p>							



<p><b>Do you agree that the compositional requirements for milk fats and water in the named variety of cheeses as outlined in Table 1 be retained in Scottish legislation?</b></p> <p><b>We welcome your reasoning for your answer and any alternative suggestions.</b> - Please explain your answer</p>	<p>Yes, it provides consistency for food standards enforcement that there are specific standards for some named cheeses.</p>		<p>We understand DEFRA intends to cover the English provisions, currently in a sunset clause, in guidelines or a code of practice, in future. While it is regrettable the future provisions will not be covered in law, our preference is for consistency between the four British countries, and therefore we support the provisions for cheese and for cream to be covered in guidance.</p>	<p>Dairy UK does not agree with this approach. The provisions pertaining to the compositional standards for cheese will fall from the Food Information Regulations 2014 as applied in England on 13th December 2018.</p> <p>The British dairy industry has been preparing for this occurrence – namely, an industry Code of Practice has been developed and approved by all parties involved, including the food industry as a whole and Defra.</p> <p>The main provisions of the Code are to retain the compositional standards of the cheeses set out in the Food Labelling Regulations 1996 and for the names of these foods to become customary, as defined in the EU Food Information to Consumers Regulation (EU 1169/2011). However, the Code also includes a number of additional provisions – mainly, it permits the variety names to be used for cheeses which have a modified composition so long as the name is qualified by other words describing the modification (“half fat” and “reduced fat”). This is not currently permitted in legislation.</p> <p>In order to allow dairy companies to produce and sell products freely across the UK, it is essential to have a common approach across all countries within the UK. We therefore advocate that the compositional standards be retained in industry guidance.</p> <p>Dairy UK has already developed an industry Code of Practice for this purpose, and would be happy to share this with the Scottish government.</p>		<p>PTF's preference has always been for legislation as the means of protecting consumers, and ensuring that manufacturers, retailers, and importers work to common compositional standards for the named cheeses. Such legislation should, however, introduce some flexibility by permitting reduced and half-fat versions of named variety cheeses to use the variety name.</p> <p>However, DEFRA has consistently made it clear that Government policy would not favour legislation, and the compositional standards will therefore be revoked in England, Wales and Northern Ireland from 13 December 2018. In the absence of legislation, PTF and Dairy UK have developed a Code of Practice for Cheese which acts as a vehicle for retention of the compositional limits.</p> <p>Importantly, it also contains the definition of 'cheese' for labelling purposes which will also be revoked from 13 December 2018.</p> <p>PTF's key concern is that there should be a harmonised approach across the UK for the protection of the quality and characteristics of the named cheeses. In the absence of legislation in the rest of the UK, we would therefore call for the PTF/Dairy UK Cheese Code to be incorporated into an industry guide in Scotland, endorsed by authorities, in order to ensure this harmonised approach.</p>								
<p><b>Would you be content for the compositional requirements for the named cheeses to be set out in industry guidance?</b></p> <p><b>We welcome your reasoning for your answer and any alternative suggestions.</b> - Please answer yes or no</p>	<p>No</p>		<p>Yes</p>	<p>Yes</p>		<p>Yes</p>								

<p>Would you be content for the compositional requirements for the named cheeses to be set out in industry guidance?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</p>	<p>No, as above the compositional requirement to be set out in legislation rather than guidance.</p>		<p>We understand DEFRA intends to cover the English provisions, currently in a sunset clause, in guidelines or a code of practice, in future. While it is regrettable the future provisions will not be cover in law, our preference is for consistency between the four British countries, and therefore we support the provisions for cheese and for cream to be covered in guidance.</p>	<p>Dairy UK believes this is best option. Please see our answer to question 11 for further information.</p>		<p>Please see the answer above.</p>				
<p>If no action was taken and the compositional requirements were allowed to fall on 13 December 2018, what effect would this have on the cheese industry and consumers?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</p>	<p>It is difficult to predict however if the standards were to fall, then it may have the effect of manufacturers producing products below current standards bringing concerns over consistency of a specific named cheese. However as detailed in the summary it may actually allow for the opportunity to produce lower fat products using a specific named cheese, this aspect can only be looked upon as a positive.</p>		<p>FSS should make sure to explain to industry the expectation that the provisions are to be seen as best practice going forward, until a final decision is made on how they will be covered in the future. This will hopefully result in minimum or no impact.</p>	<p>It is absolutely imperative that the standards not be allowed to fall and that industry guidance be endorsed by authorities in order to ensure the continuity of these standards following the revocation of the law. It is Dairy UK's view that allowing the standards to fall with no suitable guidance in place will negatively affect the quality of the cheeses sold in the UK.</p> <p>The standards were developed to protect the quality of these products and consumer confidence in the British dairy industry. We believe this to still be incredibly important, especially in the current political context, and we believe that – at this moment in time - an industry guidance is currently the best solution for delivering the continuity of these standards.</p>		<p>This subject has been discussed at length with PTF members and there is a strong feeling that, in the absence of legislation, industry standards are required in order to maintain the quality and characteristics of the named cheeses. The existing legislation assures cheese producers, retailers and consumers that cheeses sold under the variety names adhere to minimum compositional standards, which have been specified in law for over 40 years. If no action is taken and the compositional requirements are allowed to fall on 13 December 2018, this would lead to an erosion of standards and consumers would be misled as to the composition of the cheeses.</p>				

<p>Do you agree that the milk fat descriptors for the different types of cream should be retained in Scottish legislation ?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please answer yes or no</p>	<p>Yes</p>		<p>No</p>	<p>No</p>										
<p>Do you agree that the milk fat descriptors for the different types of cream should be retained in Scottish legislation ?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</p>	<p>Yes, the descriptors are clear and cover the products available to the customer</p>		<p>We understand DEFRA intends to cover the English provisions, currently in a sunset clause, in guidelines or a code of practice, in future. While it is regrettable the future provisions will not be cover in law, our preference is for consistency between the four British countries, and therefore we support the provisions for cheese and for cream to be covered in guidance.</p>	<p>Dairy UK does not agree with this approach. The provisions pertaining to the compositional standards for cream will fall from the Food Information Regulations 2014 as applied in England on 13th December 2018.</p> <p>The British dairy industry has been preparing for this occurrence – namely, an industry Code of Practice has been developed and approved by all parties involved, including the food industry as a whole and Defra.</p> <p>The main provisions of the Code are to retain the compositional standards of the creams set out in the Food Labelling Regulations 1996 and for the names of these foods to become customary, as defined in the EU Food Information to Consumers Regulation (EU 1169/2011). However, the Code also includes a number of additional provisions – mainly, it permits the variety names to be used for creams which have a modified composition so long as the name is qualified by other words describing the modification ("half fat" and "reduced fat"). This is not currently permitted in legislation.</p> <p>In order to allow dairy companies to produce and sell products freely across the UK, it is essential to have a common approach across all countries within the UK. We therefore advocate that the compositional standards be retained in industry guidance.</p> <p>Dairy UK has already developed an industry Code of Practice for this purpose, and would be happy to share this with the Scottish government.</p>				<p>PTF's preference has always been for legislation as the means of protecting consumers, and ensuring that manufacturers, retailers, and importers work to common compositional standards for the named creams .</p> <p>However, DEFRA has consistently made it clear that Government policy would not favour legislation, and the compositional standards will therefore be revoked in England, Wales and Northern Ireland from 13 December 2018. In the absence of legislation, PTF and Dairy UK have developed a Code of Practice for Cream which acts as a vehicle for retention of the milk fat descriptors and compositional limits.</p> <p>PTF's key concern is that there should be a harmonised approach across the UK for the protection of the quality and characteristics of the named creams. In the absence of legislation in the rest of the UK, we would therefore call for the PTF/Dairy UK Cream Code to be incorporated into an industry guide in Scotland, endorsed by authorities, in order to ensure this harmonised approach.</p>						

<p>Would you be content for the compositional requirements in column 2 for the various creams to be retained in industry guidance?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please answer yes or no</p>	No		Yes	Yes		Yes				
<p>Would you be content for the compositional requirements in column 2 for the various creams to be retained in industry guidance?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</p>	Better kept within Legislation		We understand DEFRA intends to cover the English provisions, currently in a sunset clause, in guidelines or a code of practice, in future. While it is regrettable the future provisions will not be cover in law, our preference is for consistency between the four British countries, and therefore we support the provisions for cheese and for cream to be covered in guidance.	Dairy UK believes this is best option. Please see our answer to question 14 for further information.		Please see answer above.				

<p>If no action was taken and the compositional requirements were allowed to fall on 13 December 2018, what effect would this have on the cream industry and consumers?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</p>	<p>Again it is difficult to predict, but the concern would be without these standards then the customer will not receiving a consistent product. It would be difficult to enforce any complaint regarding substandard product if there was no legal requirement or industry guidance.</p>		<p>FSS should make sure to explain to industry the expectation that the provisions are to be seen as best practice going forward, until a final decision is made on how they will be covered in the future. This will hopefully result in minimum or no impact.</p>	<p>It is absolutely imperative that the standards not be allowed to fall and that industry guidance be endorsed by authorities in order to ensure the continuity of these standards following the revocation of the law. It is Dairy UK's view that allowing the standards to fall with no suitable guidance in place will negatively affect the quality of the creams sold in the UK.</p> <p>The standards were developed to protect the quality of these products and consumer confidence in the British dairy industry. We believe this to still be incredibly important, especially in the current political context, and we believe that – at this moment in time - an industry guidance is currently the best solution for delivering the continuity of these standards.</p>		<p>This subject has been discussed at length with PTF members and there is a strong feeling that, in the absence of legislation, industry standards are required in order to maintain the quality and characteristics of the named creams. The existing legislation assures cream producers, retailers and consumers that creams sold under the specified descriptors adhere to minimum compositional standards, which have been specified in law for over 40 years. If no action is taken and the compositional requirements are allowed to fall on 13 December 2018, this would lead to an erosion of standards and consumers would be misled as to the composition of the named creams.</p>										
<p>Would you be content to lose the milk fat compositional requirements for the named cream varieties set out in Table 2?</p> <p>We welcome your reasoning for your answer and any alternative suggestions. - Please answer yes or no</p>	<p>No</p>		<p>No</p>	<p>No</p>		<p>No</p>										

<p><b>Would you be content to lose the milk fat compositional requirements for the named cream varieties set out in Table 2?</b></p> <p><b>We welcome your reasoning for your answer and any alternative suggestions. - Please explain your answer</b></p>	<p>The industry has complied with these specific standards and therefore this would result in no change to the manufacturers or the product the consumer receives. In addition from an enforcement point of view with standards it is easier to investigate any complaint and provide satisfactory outcome for consumers. By retaining these standards there will be less impact.</p>		<p>We understand DEFRA intends to cover the English provisions, currently in a sunset clause, in guidelines or a code of practice, in future. While it is regrettable the future provisions will not be cover in law, our preference is for consistency between the four British countries, and therefore we support the provisions for cheese and for cream to be covered in guidance.</p>	<p>No, we would not be content to completely lose the milk fat compositional requirements for the named varieties set out in Table 2. Please see our answer to question 16.</p>		<p>Please see answers above</p>				
<p><b>Do you have any further comments? - Additional comments</b></p>	<p>It is important to have standards for specific foods types, as an enforcement body if these are written in legislation it is clear to both enforcers and food businesses. Guidance allows for interpretation and there would be further concerns if there standards were to fall altogether. There requires to be some level of control to prevent food fraud and inconsistency of product leading to more consumer complaints.</p>		<p>We believe the end of the sunset clause allows for a potential review of the provisions. During this period, FSS should engage with the dairy industry to understand whether a slight reduction of the milk fat in the named cheeses is possible, without altering the characteristics of these cheese, while at the same time helping support the calorie and saturated fat reduction strategies.</p>							