

1 INTRODUCTION

ARA (Industry Association for Responsible Alcohol Use) has now, after extensive work by a sub-committee and a legal opinion, produced above-mentioned. This was done to ensure both a common level of understanding and compliance within the industry concerned and alignment with international best practice. Although the disclaimer below applies *mutatis mutandis* to ARA in respect of this document, you are urged to comply with ARA's recommendations to prevent future problems for the industry.

It stands to reason that not every circumstance could be foreseen and catered for. If you require further advice, kindly contact ARA's Adrian Botha - Tel.: 011 326 2906, Mobile: 076 426 4813 or Fax.: 088 011 326 2906. He and the small sub-committee referred to above will consider and respond to requests for guidance.

Kindly note that the obligation to show health warnings on labels in the way as set out below, applies only to the South African market and may not be allowed in export markets, or export markets may have other or different requirements in this regard.

2 ARA'S INTERPRETATION

The regulations concerned specify that:

- (a) "Container labels for alcoholic beverages must contain at least one of the health messages...";
- (b) Such a message must be -
 - (i) visible, legible and indelible and the legibility thereof shall not be affected by any other matter, printed or otherwise;
 - (ii) on a space specifically devoted for it which must be at least one eighth of the total size of the container label; and
 - (iii) in black on a white background.

2.1 On which container?

The health message must appear on the primary container and not on the container in which primary containers are packaged, for example crates, cartons, shrink wrapping or gift packs. Or, if this test gives a nonsense answer, try the container out of which the consumer will be drinking or serving the liquor product. Thus, on a bag-in-a-box the health message must be on the box and not on the foil bag.

2.2 On which label?

ARA recommends that the message be incorporated on the information label (usually a back or side label/panel). In the case of a container currently without a back or side label, such a back or side label should be added or the message may appear on the primary (front) label. A simple sticker is acceptable as long as it meets the other requirements set out in this document. Such a separate

sticker can also be a solution where unconventional labels (embossed, screen printed, etcetera) can not be adapted to these requirements.

2.3 Where on the label?

The message can be placed anywhere on the label - top, bottom, middle or side - and may be vertical or horizontal.

2.4 The white background space

The message text must appear on a white background. This white space must be at least one eighth (0.125) of the total area of the selected label. The message text on the white background, need not be one eighth of the total area of the selected label. If your selected label has a white background it is recommended that a black border is placed around the message's white background space, but the black border must not be included in your calculation of the one eighth white space.

Where you currently do not have a back or side label and need to affix a new back or side label specially for the warning message, it is recommended that you use the area of your front label to calculate the one eighth size of your new label.

2.5 The lettering of the message

The message must be in black, be visible, legible and indelible and the legibility thereof shall not be affected by any other matter, printed or otherwise. It is recommended that you use capital letters for the whole of the message. Font is at your discretion, but do not use cursive type fonts.

2.6 Which message?

The regulations obligate the use of any one of the following messages:

1. Alcohol reduces driving ability, don't drink and drive.
2. Drinking during pregnancy can be harmful to your unborn baby.
3. Alcohol abuse is dangerous to your health.
4. Alcohol increases your risk to personal injuries.
5. Alcohol is a major cause of violence and crime.
6. Alcohol is addictive.
7. Don't drink and walk on the road, you may be killed.

It is recommended that you use at least three of these messages.

2.7 Implementation

All products sold into trade as from 24 February 2009 must contain the health warning message. To limit disruption at all levels it is, however, recommended that you start implementation of above-mentioned as soon as possible.

We trust that ARA's interpretation will be useful to you. We shall keep you abreast of any further developments in this regard.

A handwritten signature in black ink, appearing to read 'MATTHEE', with a large, stylized flourish extending to the left.

ANDRÉ MATTHEE

DIRECTOR: REGULATORY SERVICES

WINE AND SPIRIT BOARD

Tel: 022 423 8692 **Fax:** 021 807 6003 **Cell:** 083 444 6963 **Email:** matthee@wo.org.za

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