



Club Soda

The Mindful Drinking Movement

Steve Brine MP
Parliamentary Under Secretary of State
for Public Health and Primary Care
Department of Health
Richmond House
79 Whitehall
London
SW1A 2NS

10th May 2018

Dear Minister,

Low and No Alcohol Descriptors Consultation

We attach our response to your consultation on low and no alcohol descriptors that closed today.

We are a unique member-led organisation of people, places and drink producers, all dedicated to a world where nobody feels out of place not drinking alcohol. As such, this issue has been important to our members, especially those individuals making a choice to moderate their drinking or going alcohol-free.

All the evidence shows that drinks under 0.5% ABV do not cause intoxication, are safe for drivers and pregnant women, and contain the same trace of alcohol as many popular foodstuffs. To have complicated rules just for drinks aimed at adults and produced in the UK, but that do not apply to anything else you put in your mouth is bizarre. We hope that through the consultation responses you will see that 0.5% and below is really alcohol free.

We feel one of the best ways to get an idea about this yourself is to drink five UK brewed 0.5% beers and then drive home. German studies have shown that your blood alcohol levels will be unaffected.

Clear and unambiguous labelling is important for drivers, pregnant women and people looking to change their drinking habits. It will help stimulate choice and ensure that UK producers don't feel discriminated against. This would be an easy and positive step for the Government to make towards better health.

We hope you will 'experiment' for yourself, and we will happily supply you with beers from some of the best British producers brewing at 0.5% - such as Big Drop Brewing, Nirvana, and Infinite Session.

joinclubsoda.co.uk

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We thank you for your time to review our response, and do let us know what your personal experience reveals.

Yours sincerely

Laura Willoughby 

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Club Soda Response to the Government Consultation on low and no alcohol descriptors.

Question 1: Do you agree with the Government's preferred option of providing guidance working with industry and other stakeholders to describe low alcohol descriptors rather than legislate after 13 December 2018?

Yes or No? If no please provide a reason why?

Neutral. From the consumers' perspective, whether guidance or legislation, it has to be clear what the rules are and where a consumer will go if they think those rules have been broken.

There was some 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 (Study 3).

Question 2: Do you have any evidence to support the case for introducing new alcoholic drink descriptors above 1.2% ABV? Yes or No? If Yes, please provide the descriptor name(s), research and evidence to support and at what level of % ABV they relate to.

We have no strong views on this question, but would like to note that Study 3 conclusions and how they have been reported in public are highly misleading. The study claims that "low" labels could lead to higher consumption. In the study's drinking occasion, there could be a 20% increase in volume consumed ("regular" vs. "super low"), but this would be of a drink with a 75% lower ABV, so alcohol consumption would in fact be much lower in this scenario. We would not base any decisions on this finding.

Question 3: For something to be 'low alcohol' the amount of alcohol needs to be 1.2% or less. Do you think the Government should keep this guideline?

Yes- I think the Government should keep 1.2% as the upper limit for low alcohol

No- I think the Government should make the limit lower than 1.2% for low alcohol

I don't know

Additional Comments

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Neutral. However it is worth noting that "low alcohol" can be higher in other countries around the world, and 1.2% is not based on any evidence.

Question 4: Should the Government keep the existing descriptor dealcoholised? Yes or No? If No, do you believe another descriptor could be used in its place and if so, what should this descriptor be called?

No. "De-alcoholised" refers to a production method, it is not a description of ABV level. Why should the production process have an impact on the labelling? This may have been a useful distinction in the past, but with modern production processes for beer, cider and wine it is no longer relevant.

It also does not help with consumer confusion, if drinks with the same ABV are sometimes labelled "de-alcoholised" (fermented to full strength and ethanol then removed to 0.5%) and sometimes "low alcohol" (only fermented to 0.5% and no ethanol removed).

We do not find the argument about "providing continuity to the public" by keeping the existing descriptors persuasive either, since the current descriptors are known to be extremely confusing, and the same rules do not apply to products from the UK and from abroad.

Question 5: Do you agree the term non-alcoholic should be permitted to be used otherwise than in connection with sacramental and communion wines? Yes or No. If No, please provide a reason why.

Yes.

Question 6: Do you agree that Government should maintain the descriptor alcohol free, and for this to continue at 0.05% ABV? Yes or No If No, please provide a reason why and alternative suggestions.

No. We prefer "alcohol free" as a descriptor, but would like to see 0.5% as the upper limit for it. Though we prefer "alcohol free", we also don't see a major difference between the meanings of "non-alcoholic" and "alcohol free" and would allow both to be used for drinks up to 0.5% ABV.

As the consultation document suggests, 0.5% is the most commonly used value around the world to describe alcohol free products (e.g. USA, Australia, New Zealand, Sweden, Denmark, France, Germany, Poland). In fact, we have not yet found anywhere to use a limit lower than 0.5%, but some allow much higher levels be labelled "alcohol free" or equivalent (e.g. 2.8% in Finland).

Denmark is an interesting case study. There, the "alcohol free" threshold was raised from 0.1% to 0.5% in 2014

<https://politiken.dk/forbrugogliv/forbrug/tjekmad/art5510779/Nu-m%C3%A5-en-alko>

[holfri-%C3%B8l-indeholde-mere-alkohol](#)), and in the following three years the sales of alcohol free beer increased threefold (<http://cphpost.dk/news/more-danes-choosing-alcohol-free-beer.html>). This demonstrates how labelling changes can have large and positive impacts on consumer behaviour.

There is international evidence demonstrating that 0.5% drinks are safe for drivers and pregnant women, and their consumption will not lead to intoxication in any real-world situation (sources: <https://link.springer.com/article/10.1007%2Fs00194-012-0835-8#page-1> and https://geburtsmedizin.charite.de/fuer_schwangere/faq_zu_schwangerschaft_und_geburt/). This being the case, we don't find any of the four special arguments listed in the consultation document persuasive.

Even citing religious reasons is not clear-cut. There are Islamic scholars who do not consider low alcohol drinks forbidden, as long as they do not lead to intoxication. There are fatwa rulings which say that no ABV percentage as such makes a drink impermissible - it is rather the effect of drinking it (one source: <http://www.islamweb.net/emainpage/index.php?page=showfatwa&Option=Fatwald&Id=299059>). In this view, drinking 0.5% would not be considered forbidden.

The research cited above is clear that small amounts of 0.5% drinks are safe for pregnant women and drivers. This is an area where much more public education is needed.

Some "recovering alcoholics" (we avoid stigmatising terms like these) do avoid beers and wines at any ABV, but in our view this has nothing to do with the small amounts of alcohol these drinks contain. It is rather the psychological effect of drinking "fake" alcohol that may trigger them to drinking (full strength) alcoholic drinks again. If the danger was the small alcohol content, then ginger beers, kombuchas, vinegars and other foodstuffs should also be required to be labelled as "low alcohol".

Similarly, people on certain medications (e.g. antabuse) or those sensitive to alcohol will need to be much better informed than most consumers, and they will need to consider the ethanol content of all foods and drinks, as well as many other products (cosmetics, handwashes) - this is therefore not an argument for how 0.5% ABV beers and wines should be labelled, unless the same rules are extended to all consumer products containing any ethanol. For example, Marks and Spencers helpfully label the ABV of some of their soft drinks on back of the packaging (for example M&S's Raspberry and Ginger Soda states the alcohol content as 0.12%). If the health danger to those who have an intolerance to alcohol is so great, would it not be the case that all products (not just those in the adult drink category) should be labelled clearly on the packaging, in this case as "low alcohol" as per the current regulations?

On the other hand, we know from our experience with Club Soda members that 0.5% drinks have allowed many of them to successfully quit or drastically cut down their alcohol consumption, by swapping alcoholic drinks to these healthier alternatives.

There is also the fact, noted in the consultation document, that the Licensing Act 2003 uses 0.5% as the definition of alcohol. Using a different definition for labelling would only perpetuate the confusion for managers of licensed venues and their customers.

We prefer the term "alcohol free" and would like to see it in general usage as it has far more positive connotations, and we feel more likely to encourage people to make a healthier switch in their drinking behaviour. It avoids using the word alcoholic (as in "non-alcoholic") that has a stigma attached to it. "Non-alcoholic" makes a suggestion of a drink designed for alcoholics. "Alcohol free" aligns the products with other foodstuffs labelled e.g. "caffeine free" (which we know is not 100% caffeine free), "wheat free", "sugar free" and "gluten free".

Question 7: Do you have any further comments?

Club Soda (joinclubsoda.co.uk) is a Mindful Drinking Movement. Most of our 16,000 individual members are cutting down or quitting, some have never drunk alcohol. We also consider the over 300 licensed venues on our Club Soda Guide (clubsodaguide.com), and the hundreds of low and no alcohol drinks producers we have worked with to be members of our movement. Our goal is to create a world where nobody feels out of place if they're not drinking alcohol.

We have been educating our members and the general public on the topic of drinks labelling and what 0 - 0.5% drinks mean, for the last two years. We consider the topic, and this consultation vitally important not only for our members, but for the entire adult population.

Our online survey (full findings attached separately) shows that confusion about labelling and unrealistic expectations on the topic affects people's perceptions and habits. For example, one respondent wanted brewers to start producing "absolute zero alcohol beer" which would presumably require boiling the product to such a degree that the taste would be undrinkable. Yet when people understand the amount of alcohol in context this changes their views. If you were to take people's initial reactions to their logical conclusion you would need to review all food and drink labelling. Instead we suggest a consistent view that 0.5% is a trace level of alcohol and does not cause intoxication thus alcohol-free makes logical sense.

Hundreds of Club Soda members have successfully reduced their harmful alcohol use with the help of 0.5% drinks: beers, ciders and wines. They are a perfect alternative to the full strength alcoholic drinks. They often contain less sugar and calories than soft drink alternatives and pair with food better than drinks designed for refreshment purposes. These attributes should not to be dismissed as they are key to moving people to healthier behaviours in an area of health where our social environment has alcohol as a default option. Nudging more people to these drinks by labelling them as alcohol free would be a great low cost public health initiative. Scaremongering about the small

amount of alcohol in them and the potential harm only causes more confusion and ignores the facts about ethanol in many other foods and drinks.

More clarification and education on this issue is desperately needed and it would really help if everyone was able to be confident and clear about the positive contribution these drinks make to changing health behaviours and what very small amounts of alcohol mean. This lack of knowledge and confidence amongst people who should know the answers (such as those working in the public health sector) stops positive health messages and advice being shared.

The survey also had a positive outcome, as it showed that many people are willing to change their views, given the relevant information.

In summary, our position on this consultation is as follows:

The current law is extremely confusing, illogical, and unfair on UK drink producers. The future regulations need to be simple, consistent, and based on evidence.

Reserving "non-alcoholic" for communion or sacramental wine alone does not make sense to us either. Apparently both Church of England and the Catholic Church in fact use fortified wine of up to 18% ABV, with distilled spirit added as a preservative (source: <https://www.churchtimes.co.uk/articles/2016/8-january/features/features/a-drink-at-the-lord-s-table>). If wine is not considered appropriate (e.g. for children), grape juice is most often used instead (which we know, of course to also contain small amounts of ethanol).

"De-alcoholised" is a specific production method for low alcohol drinks, not an indication of alcohol content. The word should not need to appear on any label, other than as a voluntary description of how the drink was manufactured.

For "alcohol free", 0.5% ABV is the common limit around the world, including our closest neighbours in Europe. We see no reason why UK regulations should deviate from this, and perpetuate the current mess.

Drinking any reasonable amount of an 0.5% ABV drink will not lead to intoxication, does not prevent driving, or cause harm during pregnancy.

Based on all of the above, the only solution we can support is to allow all drinks up to 0.5% ABV to be allowed to be labelled "alcohol free".