

Standard 2.6.2 Non-alcoholic beverages and brewed soft drinks

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

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

2.6.2—1 Name

This Standard is *Australia New Zealand Food Standards Code – Standard 2.6.2 – Non-alcoholic beverages and brewed soft drinks*.

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

2.6.2—2 Definitions

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

brewed soft drink means a food that:

- (a) is the product prepared by a fermentation process from water with sugar and one or more of:
 - (i) fruit extractives or infusions; or
 - (ii) vegetable extractives or infusions; and
- (b) contains no more than 1.15% alcohol by volume.

electrolyte drink means a drink formulated and represented as suitable for the rapid replacement of fluid, carbohydrates, electrolytes and minerals.

electrolyte drink base means a solid or liquid which, when made up, makes an electrolyte drink.

formulated beverage means a non-carbonated, ready-to-drink, flavoured beverage that:

- (a) is water-based; and
- (b) contains added vitamins or minerals or both vitamins and minerals; and
- (c) contains no more than 240 mL/L of fruit from one or more of the following sources:
 - (i) fruit juice;
 - (ii) fruit purée;
 - (iii) concentrated fruit juice;
 - (iv) concentrated fruit purée;
 - (v) comminuted fruit;
 - (vi) orange peel extract; and
- (d) contains no more than 75 g/L of sugars; and
- (e) does not contain:
 - (i) carbon dioxide; or
 - (ii) caffeine; and
- (f) is not mixed with any other beverage.

fruit drink means a product that is prepared from:

- (a) one or more of the following:
 - (i) fruit juice;
 - (ii) fruit purée;
 - (iii) concentrated fruit juice;
 - (iv) concentrated fruit purée;
 - (v) comminuted fruit;
 - (vi) orange peel extract; and
- (b) one or more of the following:
 - (i) water;
 - (ii) mineralised water; and
 - (iii) sugars.

mineral water or **spring water** means ground water obtained from subterranean water-bearing strata that, in its natural state, contains soluble matter.

non-alcoholic beverage:

- (a) means:
 - (i) packaged water; or
 - (ii) a water-based beverage, or a water-based beverage that contains other foods (other than alcoholic beverages); or
 - (iii) an electrolyte drink; and
- (b) does not include a brewed soft drink.

2.6.2—3 Composition requirement for packaged water

- (1) This section applies to a food for sale that consists of water presented in packaged form.
- (2) The food for sale may contain carbon dioxide, whether added or naturally occurring.
- (3) The food for sale must not contain:
 - (a) a chemical (other than fluoride) listed in Table A3.3 *Guideline values for chemicals that are of health significance in drinking-water* of Annex 3 Chemical summary tables in the *Guidelines for drinking-water quality, 4th edition incorporating the first addendum, 2017, World Health Organization, Geneva*, at a level greater than the guideline value for the chemical specified in that Table; or
 - (b) fluoride that is naturally-occurring in the water at a level greater than 1.0 mg/L.

2.6.2—4 Addition of fluoride to packaged water

A food for sale consisting of water presented in packaged form may contain added fluoride only if:

- (a) the water does not contain sugars, sweeteners, flavouring substances or other food; and
- (b) the water is not carbonated; and
- (c) the total amount of the naturally occurring and any added fluoride is no less than 0.6 mg/L and no more than 1.0 mg/L; and
- (d) the form of fluoride added is:
 - (i) hydrofluorosilicic acid (fluorosilicic acid); or
 - (ii) sodium fluoride; or
 - (iii) sodium fluorosilicate (sodium silicofluoride).

2.6.2—5 Labelling—composition of packaged water

- (1) For the labelling provisions, for water presented in packaged form that contains added fluoride, a statement to the effect that the water contains added fluoride is required.

Note The labelling provisions are set out in Standard 1.2.1.

- (2) For the labelling provisions, a typical analysis that lists the total concentration of any naturally occurring compound expressed in either mg/L or parts per million may be included.

Note The labelling provisions are set out in Standard 1.2.1.

- (3) The typical analysis may also include added fluoride provided that only the total amount of the naturally occurring and added fluoride is specified.
- (4) A typical analysis that complies with subsections (2) and (3) is not a nutrition content claim for the purposes of section 1.1.2—9.

2.6.2—6 Requirement for food sold as brewed soft drink

A food that is sold as a brewed soft drink must be a brewed soft drink.