

# Some soft drinks may contain alcohol

A guide for retailers for the sale of brewed and fermented soft drinks

## Undeclared alcohol in 47 per cent of brewed soft drinks

Recent testing found 47 per cent of brewed soft drinks, such as kombucha, kefir, ginger beer and kvass (these are also known as fermented soft drinks) have been found to be non-compliant with alcohol labelling requirements. Brewed soft drinks containing 0.5 per cent alcohol by volume (ABV)<sup>1</sup> or more must include statements about alcohol content and standard drinks on the label.

### Harm to your customers and fines for your business

Unknown consumption of alcohol can cause harm to some consumers such as pregnant women and people on certain medications, and may mislead others. The unlicensed sale of alcohol can also result in fines to your business. Selling liquor, or offering liquor for sale, without a licence carries a maximum penalty of \$38,057 or two years imprisonment<sup>2</sup>.

### Why is there alcohol in brewed soft drinks?

During the brewing process of soft drinks (also known as fermentation) alcohol is produced. Therefore, brewed soft drinks such as kombucha, kefir, ginger beer and kvass usually contain some alcohol. An uncontrolled brewing process, inaccurate alcohol measurement by the manufacturer, and/or incorrect transport and storage of retail ready brewed soft drinks can result in excess production and incorrect labelling of alcohol in the product.

### What you can do

- Only buy from reputable suppliers.
- Ask suppliers for information about their products and processes. Request a copy of the supplier's completed alcohol testing records or certificate of analysis. If the alcohol strength is greater than 0.5 per cent, check it includes statements of alcohol content and standard drinks on the label.
- Request that brewed soft drinks are made to a requested standard, such as the [FoodSmart](http://foodsmart.vic.gov.au/FoodSmartWeb/practices.aspx#sectionD) food safety program fermentation supplement <<http://foodsmart.vic.gov.au/FoodSmartWeb/practices.aspx#sectionD>>, before accepting the products from a supplier.
- Ensure brewed soft drinks are cold when delivered. If not, reject the delivery.
- Store brewed soft drinks in the refrigerator.
- Discard brewed soft drinks if you suspect they have not been stored correctly.
- Do not sell brewed soft drinks past their best-before date.
- You are required to hold a liquor license to sell a product with more than 0.5 per cent ABV within the state of Victoria. Drinks containing alcohol that exceeds 0.5 per cent ABV, are considered liquor and fall under the *Victorian Liquor Control Reform Act 1998*. For more information contact the [Victorian Commission for Gambling and Liquor Regulation at <www.vcglr.vic.gov.au>](http://www.vcglr.vic.gov.au).

<sup>1</sup> Under the Australian New Zealand Food Standards Code brewed soft drinks must 1.15 per cent ABV or less.

<sup>2</sup> For more information contact the Victorian Commission for Gambling and Liquor Regulation at <[www.vcglr.vic.gov.au](http://www.vcglr.vic.gov.au)>.

To receive this publication in an accessible format phone 1300 364 352, using the National Relay Service 13 36 77 if required, or email [foodsafety@dhhs.vic.gov.au](mailto:foodsafety@dhhs.vic.gov.au)

Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

© State of Victoria, Department of Health and Human Services, August, 2017.

Available at <https://www2.health.vic.gov.au/public-health/food-safety/publications-guides-resources>